Distr.
GENERAL

A/AC.96/SR.506
24 October 1995

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-sixth session

SUMMARY RECORD OF THE 506th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 20 October 1995, at 10 a.m.

Chairman: Mr. LARSEN (Denmark)

CONTENTS

GENERAL DEBATE (continued)

PARTICIPATION OF GOVERNMENT OBSERVER DELEGATIONS

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE FORTY-SEVENTH SESSION OF THE EXECUTIVE COMMITTEE

ANY OTHER BUSINESS

ADOPTION OF THE DRAFT REPORT OF THE FORTY-SIXTH SESSION

CLOSURE OF THE SESSION

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.95-03509 (E)

The meeting was called to order at 10.20 a.m.

GENERAL DEBATE (continued)

1. Mr. HALIQ (Observer for Saudi Arabia), speaking in exercise of the right of reply, said that the allegations the delegation of Iraq had made the previous day about Iraqi refugees in Saudi Arabia had been groundless. When the Government of Saudi Arabia had given refugee status to Iraqis, it had done so in cooperation with other Governments and UNHCR, in order to enable refugees to be transferred to safe places. It was not logical to try to hurt those unfortunate refugees. Saudi Arabia wanted to give them the security they did not have in their own country. Perhaps the High Commissioner remembered her visit to one of the refugee camps, when she had said that it was a city in itself with all the necessary conditions for a safe and dignified life. That statement in itself refuted the claim made by Iraq.

2. It was enough to refer to document A/AC.96/846/Part V/12, which spoke of the cooperation between the Saudi Arabian Government and UNHCR. All refugees benefited from full rights, including the right of protection against forced return. Iraq's allegations about the ill-treatment of Iraqi refugees was merely an attempt to cover up violations of the rights of the Iraqi people. Saudi Arabia had always cooperated with various international agencies and had also taken action of its own to deal with refugee crises.

3. Mr. SALMAN (Observer for Iraq), speaking in exercise of the right of reply, said that the statement he had made the previous day had been reported in the media. The Saudi Arabian authorities claimed that the refugee camps were like five star hotels, but, in fact, the poor refugees were being held in detention camps. The Saudi Arabian Government was behaving in an inhuman manner. For example, refugees were being forced to change their religion and were being subjected to various other pressures which were contrary to the principles of Islam. That behaviour had led the refugees to protest and there had been clashes in which eight persons had died.

4. Mr. EL KHARIB (Sudan) said that he wished to clarify his Government's position with regard to Sudanese refugees in neighbouring countries, as reference had been made to them in some statements.

5. Sudan had constantly called for the facilitation of the return of refugees both in the Executive Committee and in regional forums. Some 500 refugees had been voluntarily repatriated as a result of the joint efforts of the Government of the Central African Republic and the Sudan. Those efforts had been supported by UNHCR at the end of 1992. He thanked UNHCR and the Government of the Central African Republic for that achievement. One thousand other Sudanese refugees in the Central African Republic had expressed a wish to return home. The Government of the Central African Republic had agreed to two missions from the Sudan to complete the necessary formalities. UNHCR had always indicated that it did not have the resources or funds to push for voluntary repatriation. Consequently, the number of refugees who wished to return voluntarily had dropped. Some difficulties still existed in respect of the tenders received from transferring airlines. He therefore feared that the number of persons willing to return would

continue to fall. Delegations from the Sudan's neighbour countries might therefore have the impression that the Sudan was not taking the matter seriously.

6. He paid tribute to Kenya's willingness to work with the Sudanese Government to facilitate the return of refugees from Kenya. The Sudanese Government was quite prepared to complete the formalities for voluntary repatriation and recent talks had been held between the Sudan and Kenya on the formalities and details of that repatriation. Peace talks were being held in the Sudan with the rebel movement, under the auspices of the Kenyan President, with a view to a peaceful and lasting settlement to the dispute.

7. Spontaneous return from neighbouring countries had been going on continuously in response to the Government's call for peace within the country. The Government was trying to rehabilitate the regions in the south which had been devastated by war. It was fully aware of its responsibility and was doing everything it could to ensure voluntary repatriation.

PARTICIPATION OF GOVERNMENT OBSERVER DELEGATIONS (agenda item 6) (EXCOM/1995/XLVI/CRP.1)

8. The CHAIRMAN said that, under agenda item 6, the Executive Committee was called upon to consider applications by Government Observer delegations to participate in the work of the Sub-Committees and the informal meetings of the Executive Committee.

9. In accordance with a decision of the Executive Committee in 1988, meetings of the Sub-Committees and informal meetings of the Executive Committee were open to participation by Government Observer delegations which had made formal applications for approval by the plenary. Delegations had been invited to submit their applications to the Secretariat. On the basis of the applications received, the Secretariat had circulated a list (EXCOM/1995/XLVI/CRP.1) for consideration by the Committee.

10. If he heard no objections, he would take it that the Executive Committee approved the list.

11. It was so decided.

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE FORTY-SEVENTH SESSION OF THE EXECUTIVE COMMITTEE (agenda item 7) (EXCOM/1995/XLVI/CRP.2, para. 32 (n))

12. The CHAIRMAN said that, under agenda item 7, the Executive Committee was called upon to consider the draft provisional agenda of its forty-seventh session in 1996 (EXCOM/1995/XLVI/CRP.2, para. 32 (n)). That draft provisional agenda, which was being submitted to the Executive Committee for approval, took account of the recommendations of the Working Group on Executive Committee Working Methods, as adopted by the Sub-Committee on Administrative and Financial Matters.

13. Mr. DENHAM (Observer for Ireland) asked whether the Secretariat could provide a cost analysis of the decisions adopted at Executive Committee meetings.

14. The CHAIRMAN said that the request by Ireland would require further consideration.

15. If he heard no objections, he would take it that the Executive Committee adopted the provisional agenda of its forty-seventh session.

16. It was so decided.

ADOPTION OF THE DRAFT REPORT OF THE FORTY-SIXTH SESSION (agenda item 9) (EXCOM/1995/XLVI/CRP.2)

17. Mr. CHINWANNO (Rapporteur) explained that the draft report of the Executive Committee contained the conclusions and decisions which had been formulated in the Drafting Committee composed of the Friends of the Rapporteur and which reflected the agreement that Committee had reached by consensus.

18. The draft report thus contained four decisions on budget structure and governance, Executive Committee working methods, the introduction of Russian as an official language of the Executive Committee and programme, administrative and financial matters, as well as conclusions on PARinAC, refugees and the environment, refugee women and Economic and Social Council resolution 1995/56 on strengthening the coordination of emergency humanitarian assistance of the United Nations. In addition there were five regional conclusions and two protection conclusions on statelessness and international protection. The Drafting Committee had also considered the programme of work of the Standing Committee in 1996.

19. Mr. HALL (Secretary of the Executive Committee), drawing attention to some corrections agreed on by the Drafting Committee, said that, in paragraph 28 (a), the words "in the region" should be placed after the words "December 1995". Paragraph 28 (e) should read "Requests all parties concerned to continue to cooperate fully ...". In paragraph 30 (a), the word "and" should be added between the words "scope" and "objectives" in the third line.

20. Ms. CLEMENTS (United States of America) proposed that, in paragraph 31 (d), the word "supports" should be added between the words "returnees and" and "the retention".

21. The CHAIRMAN said that, if he heard no objections, he would take it that the Executive Committee adopted the report of its forty-sixth session.

22. It was so decided.

23. Mrs. OGATA (High Commissioner for Refugees) said that attacks on United Nations personnel working in humanitarian emergencies and development activities had led to more than 100 deaths in the past three years, and she attached the utmost importance to the issue of staff security. Statements made by Committee members echoed her own position on the interrelationship between protection and solutions. Today's refugee problem was not purely humanitarian, but was essentially political, with major implications for regional security and stability. It was inherently linked to the eradication

of poverty and the rehabilitation of war-torn societies. The need for a comprehensive approach was vital to deal with the humanitarian, political and socio-economic dimensions of refugee problems.

24. Given the importance of the institution of asylum, she was concerned about recent reports on the possible expulsion of thousands of Palestinians, many of whom had nowhere to go. She urged concerned Governments to take rapid action to avert the problem. Otherwise, she feared that further repercussions in the Middle East region could create a new emergency.

25. UNHCR would continue to work to build consensus on the development of guiding principles to ensure international protection for those fleeing conflict, keeping in mind the importance of a regional approach to complement universal principles and the need for flexibility. She was pleased that the Committee had endorsed UNHCR's proactive approach to voluntary repatriation, while rightly recognizing the constraints. The Committee had also rightly highlighted the linkage between the repatriation of refugees and the rehabilitation of war-torn societies. Unless people were anchored in their communities, it would not be possible to stabilize population movements.

26. Issues of displacement must be put on the development agenda. UNHCR would continue to energize its relationships with development and financial institutions and she would be meeting with the World Bank precisely for that purpose in November 1995.

27. She had taken note of the Committee's support for the implementation of the Partnership in Action process with non-governmental organizations (NGOs), as well as the need to improve UNHCR's monitoring and financial control of its implementing partners, many of which were NGOs.

28. She was grateful for the Committee's agreement on the establishment of the post of Assistant High Commissioner as a means of strengthening UNHCR's management capacities to plan and implement operational strategies. She reiterated her commitment to improved governance and accountability.

29. The need for such dialogue had never been greater. There was also little doubt that the year ahead would be a demanding one. All members of the Executive Committee were aware of the strains on protection, the constraints of solutions, the parameters of prevention and the limits of preparedness, but, in confronting the difficulties which lay ahead, she was comforted by the strong support which they had expressed for her Office. Their financial support was essential. Their political support was indispensable. Heartened by their encouragement, UNHCR would continue to move forward on its humanitarian course.

CLOSURE OF THE SESSION (agenda item 10)

30. After the customary exchange of courtesies, the CHAIRMAN declared the forty-sixth session of the Executive Committee closed.

The meeting rose at 11.05 a.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.507
3 December 1996

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-seventh session

SUMMARY RECORD OF THE 507th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 7 October 1996, at 10 a.m.

Temporary Chairman: Mr. LARSEN (Denmark)
Chairman: Mr. MCHUMO (United Republic of Tanzania)

CONTENTS

OPENING OF THE SESSION

STATEMENT BY THE OUTGOING CHAIRMAN

ELECTION OF OFFICERS

STATEMENT BY THE CHAIRMAN

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS

Introductory statement by the United Nations High Commissioner for Refugees

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.96-02957 (E)

The meeting was called to order at 10.30 a.m.

OPENING OF THE SESSION (agenda item 1)

1. The TEMPORARY CHAIRMAN declared open the forty-seventh session of the Executive Committee of the High Commissioner's Programme.

STATEMENT BY THE OUTGOING CHAIRMAN

2. The TEMPORARY CHAIRMAN, speaking as Chairman of the forty-sixth session, said that although UNHCR's burden of work had been far heavier during the previous two years than during any other period in its history, it had never failed to perform its obligation to mitigate the suffering of the millions of individuals who needed its assistance throughout the world. Reduction of the number of refugees to an acceptable level was the responsibility not only of the countries directly involved but also of the United Nations agencies and NGOs active in the humanitarian sphere, and in particular of UNHCR. Effectiveness required foresight and the adoption of preventive measures, rapid, coordinated action, and follow-up if necessary. Key factors included managers who were respected by their staff, smoothly running machinery, sound management, transparency and responsibility. In all those spheres, UNHCR ranked among the best. Its positive attitude to the criticism and advice addressed to it would enable it to overcome its shortcomings and to achieve even better results, which was important to keep the confidence of donor countries and members.

ELECTION OF OFFICERS (agenda item 2)

3. The TEMPORARY CHAIRMAN invited members of the Executive Committee to make nominations for the office of Chairman.

4. Mrs. ANDERSON (Ireland) nominated Mr. Mchumo (United Republic of Tanzania) for the office of Chairman.

5. Mr. YIMER (Ethiopia) and Mr. BURUSAPATANA (Thailand) seconded the nomination.

6. Mr. Mchumo (United Republic of Tanzania) was elected Chairman by acclamation.

7. The TEMPORARY CHAIRMAN invited members of the Committee to make nominations for the office of Vice-Chairman.

8. Mr. KOLOSSOVSKY (Russian Federation) nominated Mr. Skogmo (Norway) for the office of Vice-Chairman.

9. Mr. KHALID (Pakistan) and Mr. THEAULT (Canada) seconded the nomination.

10. Mr. Skogmo (Norway) was elected Vice-Chairman by acclamation.

11. The TEMPORARY CHAIRMAN invited members of the Committee to make nominations for the office of Rapporteur.

12. Mr. SPIEGEL (United States of America) nominated Mr. Schoof (Germany) for the office of Rapporteur.

13. Mrs. GHOSE (India) seconded the nomination.

14. Mr. Schoof (Germany) was elected Rapporteur by acclamation.

15. Mr. Mchumo (United Republic of Tanzania) took the Chair.

STATEMENT BY THE CHAIRMAN

16. The CHAIRMAN said that at the beginning of 1996 UNHCR had been responsible for 26 million individuals, slightly more than half of whom were refugees. Although the figure was slightly lower than that for the previous year, the scale and complexity of current problems and the volatile situation in a number of the world's regions remained a source of acute concern. Recent emergency situations had placed UNHCR in an ever more difficult financial situation and it was impossible not to be increasingly concerned by the fact that refugee movements were likely to pose a serious threat to national, regional and even international security, especially when they affected countries of asylum whose economic and social situation was already seriously strained. In the circumstances, it was clearly necessary to continue to promote solution-oriented and preventive approaches that responded to the needs of refugees without harming the legitimate interests of countries of asylum and origin. The Executive Committee's debate on the pursuit and implementation of durable solutions, including the notion of prevention, would be particularly opportune.

17. The previous year had also seen a number of positive developments, particularly in South-East Asia and Mozambique, which gave grounds for optimism that voluntary return was in many cases a realistic solution. It had been impressive to witness how UNHCR had been able to work together with UNDP and other development actors and to fit refugee integration activities into a commonly agreed, longer-term framework. The same concern to find solutions and to favour prevention had been apparent in the development of a comprehensive approach to the problems of refugees, returnees, displaced persons and other victims of involuntary displacement in the Commonwealth of Independent States (CIS) and relevant neighbouring States.

18. In the Great Lakes region of Africa, however, an effective approach to solutions remained elusive. The humanitarian situation there was an enormous challenge to UNHCR, to the countries of the region and to the international community as a whole. There were still more than 1.6 million Rwandan, and almost 300,000 Burundi refugees whose upkeep was an enormous burden for the countries of asylum. The consequences for the peace and stability of the whole region could be catastrophic unless solutions were found to that humanitarian tragedy. It was to be hoped that UNHCR and the Executive Committee would find means of developing further comprehensive and regional approaches drawing together the necessary humanitarian, diplomatic, political and developmental elements to bring about durable solutions.

19. The short-term rehabilitation assistance provided by UNHCR needed to be linked to a broader reconstruction and recovery strategy ensuring continuity from initial recovery to sustainable development. Due consideration should be

given to the situation of asylum countries which had been affected by the presence on their territory of a large number of refugees. The Executive Committee would undoubtedly wish to continue to keep that matter, including its inter-agency aspects, under close review. More than ever before there was a need for international solidarity, both in terms of the funding of refugee programmes and of the moral and political support that Governments could provide in the search of solutions. While it was appropriate to reassert the obligations of countries of asylum, it was also necessary to recognize the right of those countries, and in particular those with fragile economies, to exist and develop in security and therefore to receive as much assistance as possible to enable them to meet their international obligations without undermining social and economic development, security, the environment, public order and their overriding obligations towards their own population.

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS (agenda item 3)

20. The CHAIRMAN drew the attention of members of the Executive Committee to document A/AC.96/XLVII/L.1 containing the provisional annotated agenda. If there were no objections, he would take it that the Executive Committee wished to adopt the annotated agenda.

21. It was so decided.

22. The CHAIRMAN said that a number of unofficial consultations had been held on the basis of the work undertaken by the Standing Committee and that the decisions and conclusions reached would be presented subsequently to the Executive Committee for adoption.

23. It was so decided.

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (agenda item 4) (A/AC.96/863, 867 and 872)

24. The CHAIRMAN invited Mrs. Ogata, United Nations High Commissioner for Refugees, to address the members of the Executive Committee.

Introductory statement by the United Nations High Commissioner for Refugees

25. Mrs. OGATA (United Nations High Commissioner for Refugees) congratulated the new Chairman of the Executive Committee, whose country remained at the forefront of one of the most serious refugee crisis in recent times.

26. Since the previous session, there had been no new humanitarian emergencies on the scale witnessed during the first half of the 1990s. However, the international environment remained volatile and armed conflicts in Burundi, Chechnya in the Russian Federation, Liberia, Sudan, Sri Lanka, Tajikistan and, most recently, Iraq, had again forced people to flee for their lives. The world's refugee population had fallen from 14.5 million in early 1995 to 13.2 million at the beginning of 1996. However, while in many parts of the globe considerable progress had been made towards durable solutions, new challenges remained in several post-cold war conflicts.

27. She welcomed, among other things, the accession of South Africa to the 1951 Convention relating to the Status of Refugees and to the

OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, as well as the adoption, within the European Union, of a common interpretation of the Convention's definition of a refugee, all of which should further strengthen the international protection regime.

28. The core values of safe and adequate protection were the central concern of her Office. In order to preserve them, it was above all crucial for the international community not only to reaffirm, but also to respect the principle of non-refoulement. Protecting from danger lay at the heart of protection and reflected fundamental values common to all cultures.

29. In many countries in the industrialized world the processing of asylum requests, whose number had continued to decline in 1996, had become much swifter. Although manifestly unfounded and abusive requests for asylum had not disappeared, the time had come to dedramatize the problems of asylum in political rhetoric and in the public mind, and it was essential for States to continue to differentiate between those seeking protection and those seeking better opportunities.

30. More attention should be paid to international burden-sharing, for the burden was unevenly distributed among and within continents. Germany was host to more Bosnian refugees than all the other countries in Western Europe combined. She was extremely concerned about the fact that appeals such as those by UNDP and UNHCR to alleviate the huge environmental and other damage in eascern Zaire and western Tanzanian had gone largely unheeded.

31. It was essential to preserve the humanitarian character of asylum, by receiving refugees away from borders, by halting military activities in refugee camps and by obliging refugees to respect the law. Refugees were entitled to freedom of opinion and expression. However, countries of asylum could restrict the political activities of refugees as the humanitarian and non-political character of asylum could be endangered if their freedom of expression were boundless.

32. The risk of tension between States was compounded when people guilty of genocide or other heinous crimes abused international protection. For that reason, the Office had officially excluded from its mandate all those Rwandans who had been indicted by the International Tribunal for Rwanda. It was also designing guidelines which should help both its own staff and States to handle the difficult question of exclusion as consistently as possible. The Office also had to deal with the huge challenge of reconciliation in the transition from conflict to real, lasting peace.

33. The situation in Bosnia and Rwanda demonstrated that it was insufficient to establish military peace. The establishment of civil peace in those countries required just and humane solutions for those who had been deliberately chased away. Whereas in almost all conflict situations solutions to refugee problems required some form of peace, the reverse was often equally true: humane solutions were essential for peace.

34. Perhaps nowhere was the link between refugee problems and peace and security more evident than in the Great Lakes region in Africa. After 15,200 Rwandan refugees had been turned back from Burundi in late July, the

ongoing turmoil there had prompted virtually all the 65,000 remaining Rwandans to repatriate, with the material assistance and monitoring of UNHCR.

35. While the humanitarian assistance and protection provided by UNHCR served an innocent, silent majority of needy and anxious refugees, they also served the militants who had an interest in maintaining the status quo. In order to bring about large-scale repatriation, UNHCR had formulated a set of proposals on which it hoped shortly to reach agreement with affected and interested Governments.

36. As for Bosnia and Herzegovina, UNHCR estimated that since the Dayton Agreement, 250,000 people had already settled or resettled in areas where their group was in the majority. Following the recent elections, work had begun on the building of common institutions. Moreover, reconstruction work was gathering pace.

37. The difficulties in Bosnia and Rwanda should not obscure the historic progress made in resolving forced displacement problems elsewhere. The process of reconciliation in Guatemala, South Africa and Mozambique was highly encouraging. In Mozambique, despite 17 years of atrocious conflict, it had been possible peacefully to reintegrate 1.7 million refugees and, in July 1996, UNHCR had been able to end its involvement there.

38. Many other countries were making progress towards durable solutions. She referred specifically to the progress made in Mali, in Viet Nam within the framework of the Comprehensive Plan of Action (CPA) which UNHCR had been able to conclude at the end of 1996, in Togo, Somalia, Ethiopia, Sudan and in Angola. She hoped that following the recent events in Afghanistan as many refugees as possible would start the journey home, and counted on a favourable solution to the problems of the refugees from Myanmar and Bhutan.

39. She said that her overview should provide hope. Refugee problems were less insoluble than they often appeared to be. In many cases, however, their solution required time. In situations where refugees had fled from war, and although they increasingly returned or were forced to return to unstable situations, real progress towards peace was almost always a prerequisite for ending their predicament in a lasting manner.

40. Although peace could not be imposed from outside, international cooperation and involvement were in many ways indispensable to solve problems of forced displacement. In that context she referred to the predicament of 750,000 Liberian refugees. International cooperation implied, in the first place, the responsibility of countries of origin to readmit their citizens, whether refugees or asylum-seekers. However, it was occasionally necessary to complement voluntary repatriation with other pragmatic solutions.

41. It had become very clear that the international community should help countries emerging from conflict to cope with the complicated transition from war to peace, and to reactivate their economy. The absence of visible peace dividends could clearly compromise the process of peace-building. As to the challenges posed by the return of refugees to their country of origin and by reconciliation, the building of fair systems of justice and efficient mechanisms for property restitution had proved to be increasingly important.

42. In the context of refugee protection and assistance, the international community and UNHCR should devote greater attention to the needs of women and children. She intended carefully to examine the recommendations made in the study by Mrs. Graça Machel on the impact of armed conflicts on children.

43. UNHCR's next objective would be to improve the design and implementation of its contributions, however modest, to the task of averting population displacements. By injecting some humanity into conflict situations, humanitarian action could help to contain them, to prevent them from spilling over and to avert refugee flows. By giving priority to the reinsertion of returnees in their community on the one hand and to reconciliation on the other, UNHCR could help to prevent the recurrence of conflict. However, more efforts were necessary in the following areas: the reduction of statelessness, strengthening the capacity of local NGOs and administrative structures, humanitarian advocacy and encouraging regional dialogue. Local institutions and NGOs were crucial not only for protection and rehabilitation, but also for reinforcing good governance.

44. On the basis of UNHCR's satisfactory experience with the CIS Conference, she had decided, in close consultation with the Secretary-General, to explore the possibility of a similar process for the countries of Central and South-West Asia, which had continued to extend their hospitality to refugees in the best tradition of Islam.

45. She then referred to the most crucial objective for the coming period: delivering the changes necessary for UNHCR to perform better with less (Project Delphi). The purpose of Project Delphi was nothing less than to give UNHCR better tools to perform its central mission of ensuring international protection and developing durable solutions, in an ever more complex and critical environment.

46. UNHCR's programmes and operational structure would be based on better defined objectives, tailored to the needs of each situation, while at the same time being consistent with its overall strategic objectives. She was pleased that UNHCR had been able to start implementing Project Delphi, and noted that she had reorganized the senior management structure. UNHCR was also making progress towards developing clearer policy directives and had issued a global strategy paper, which should provide information about the Office's policy and decision-making process.

47. On the human resources side, UNHCR had launched a new career management system. She hoped that, as a result of the rationalization of working methods and of delegating greater authority to the field, UNHCR would need fewer human resources, particularly in Geneva. The full support of the Executive Committee would promote the process of change at UNHCR.

48. The Office was trying to do its best, but needed the Executive Committee's unswerving moral and financial support. Out of a total budget of US$ 1.3 billion, the contributions paid since 1 January 1996 so far amounted to only US$ 776 million. The operations under way in the former Yugoslavia and in Africa were severely affected. For that reason she appealed to donors to make an extra effort. International protection and the implementation of durable solutions was an enormous challenge. More than ever, UNHCR counted

on the cooperation of all Governments, other United Nations agencies, the International Committee of the Red Cross (ICRC) and the NGOs.

49. Mrs. ANDERSON (Ireland), speaking on behalf of the European Union, said that the theme adopted by the Executive Committee, namely, the pursuit and implementation of durable solutions (A/AC.96/872), was of crucial importance. UNHCR had been seeking lasting solutions to the problems of refugees for 45 years, and three broad solutions had stood the test of time: voluntary repatriation which, when it took place in accordance with the principles of international protection, was in most cases the ideal long-term solution; local integration, which occasionally required international cooperation to support the countries of asylum; and resettlement, which called for international solidarity. Those three solutions committed States - both countries of origin and of asylum - to apply the rule of law and to protect the human rights and fundamental freedoms of refugees. Conversely, refugees had to respect the community and environment in which they resettled.

50. However, prevention was still the most lasting solution. UNHCR, which possessed an extensive network of field offices, could provide early warning to the international community of potential or emerging crises. Moreover, global approaches, such as that adopted in the case of the CIS countries, should above all be supported by the political will of all the parties concerned. They also required careful planning and should ensure the safety and dignity of refugees.

51. As the Note on International Protection (A/AC.96/863) implied, experience of operations on behalf of refugees had perhaps been fallible, particularly in Somalia, Bosnia, Rwanda and Burundi. In the Great Lakes region, despite all UNHCR's efforts and the development of the Bujumbura action plan, voluntary repatriation had not been possible because of a lack of sufficient political will. It had become clear that UNHCR alone could not solve a problem that required a concerted effort by the United Nations system as a whole. Only a political settlement would provide a durable solution to the humanitarian problems in that region. The European Union would cooperate with UNHCR, the Governments of the region and other donor Governments in seeking acceptable and realistic ways of tackling the problem in a wider political context. In that regard, she congratulated the High Commissioner on having recently decided to exclude persons indicted by the International Tribunal for Rwanda from refugee status.

52. Positive changes had taken place in Bosnia and Herzegovina. However, the European Union believed that the return of refugees and displaced persons had to be flexible. UNHCR should play a leading role in that process, in accordance with the Dayton Agreement and the operational plan proposed in 1996 by the High Commissioner. It was also essential that the parties concerned should cooperate and coordinate their activities at all levels. Some solutions had been successfully implemented, notably in Mozambique, within the framework of the International Meeting of the Follow-up Committee of the International Conference on Central American Refugees (CIREFCA) and during the implementation of CPA. However, it would be necessary to analyse and define UNHCR's role in situations of political instability and of failure to respect human rights and the principles of law. Liberia was a classic case of such a situation.

53. Good progress had been made over the previous 12 months in implementing Economic and Social Council resolution 1995/56 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations. The relevant international organizations had, by and large, laid the groundwork for a comprehensive strategy. The European Union believed that the Standing Interagency Committee should be the primary mechanism for such coordination and an instrument for action-oriented policy guidance.

54. Its contribution of some US$ 510 million in 1995 made the European Union UNHCR's largest donor and reflected its constant concern for the plight of refugees and internally displaced persons. The Union also recognized that numerous developing countries had to bear an increasingly heavy burden, and the search for durable solutions should be a joint effort - a partnership between developed and developing countries. Lastly, she paid tribute to UNHCR's dedicated staff, which had made tremendous efforts to grapple with a range of crises, often at the risk of their lives.

55. Ms. OAKLEY (United States of America) said that, under Mrs. Ogata's outstanding leadership, UNHCR had developed innovative and comprehensive approaches to the complex problems of population movements. In order to finance the follow-up to the CIS regional conference held in May 1996, the United States Government had just contributed US$ 1.5 million to the first appeal issued jointly by UNHCR and the International Organization for Migrations (IOM).

56. There was no doubt that voluntary repatriation was the preferred solution to refugee problems. However, it had to be accompanied by community-based efforts to achieve sustainable development, with an emphasis on returnee communities. Moreover, although UNHCR could contribute to refugee reintegration, the operation's success depended on the political will of the countries concerned and on sustainable development actions. In that connection, the efforts to revitalize the Horn of Africa's Inter-Governmental Authority on Drought and Development (IGADD) should be commended.

57. UNHCR's senior management had undertaken an ambitious task in reviewing measures to ensure a constant focus on durable solutions and disengagement. In an environment of increasing needs and diminishing resources, UNHCR was obliged to think through ways of concluding its operations. Its action in Mozambique had demonstrated that, by means of advance planning and early discussions among key actors, the humanitarian community could disengage smoothly. The United States encouraged UNHCR to develop its cooperation with UNDP in order to generalize the success of operations such as that in Mozambique. Her delegation was also thankful that there were situations where refugees no longer feared persecution, and was of the view that the time had come to consider invoking the cessation clause in areas where refugee problems were on the way to being solved.

58. The Great Lakes region of Africa posed an enormous challenge to UNHCR and to the international community, and it would be necessary to break an intolerable and unsustainable status quo. The international community would continue to provide assistance, but the countries of origin and asylum must assume greater responsibility. Together with other concerned Governments, the United States proposed a range of measures including camp consolidation, targeted application of the cessation and exclusion clauses and phasing

out assistance to existing camps that were too close to borders, while providing viable alternatives for those who continued to fear return.

59. As for the problem of Guatemalan refugees, she welcomed Guatemala's commitment to reintegrate them and Mexico's generous offer of permanent resettlement. Regarding third-country resettlement, UNHCR's efforts over the previous year to draw increased attention to resettlement programmes were especially encouraging. Moreover, the United States believed that the Standing Interagency Committee was currently the best rapid response mechanism to complex emergencies, provided that participating agencies were parties to the process.

60. As Mrs. Ogata had observed, it was disturbing that refugee protection was under serious threat because some countries were forcibly returning people who had been persecuted or tortured in their own country. Care should be taken to ensure that States assumed their legal and moral responsibility to protect persons in danger. Referring to the question of unaccompanied refugee children, she said that in 1994 and 1995 the United States had contributed generously to the creation of a Regional Support Unit for Refugee Children. The time was right to evaluate its use as a starting point for an assessment of progress in implementing the guidelines on refugee children. As for the situation of refugee women, the internal reference group on refugee women was turning rhetoric into action. In that regard, the United States Government had contributed US$ 200,000 to a fund set up by UNHCR on behalf of refugee women. In addition, President Clinton had announced that the United States would contribute US$ 5 million to create a fund for the advancement of Bosnian women, under the auspices of UNHCR.

61. She also said that in 1996 her Government's contributions to UNHCR had amounted to almost US$ 254 million, i.e. almost US$ 30 million more than in 1995. Lastly, she commended the ambitious changes currently under way in UNHCR, and in particular the efforts made to reform the organization in order to respond more efficiently. However, despite the efforts made by the High Commissioner to ensure the advancement of women in the Office, there was only one woman - with the exception of the High Commissioner herself - among the 18 proposed senior managers.

62. To conclude, she paid tribute on her own behalf and on that of her Government to the thousands of UNHCR staff working for refugees throughout the world.

63. Mr. BURUSAPATANA (Thailand) said that the success of CPA was most gratifying. Seven years after its inception, only a handful of Vietnamese and Lao, who would moreover shortly be repatriated, remained in Thailand. He paid tribute to the resettlement and donor countries as well as to the High Commissioner and UNHCR's staff for their coordination work and expertise, and to the Vietnamese and Lao Governments for their cooperation in repatriation efforts.

64. Reviewing the implementation of CPA, he said it was a well-balanced instrument which took into account the interests of all parties concerned and addressed all aspects of refugee issues, namely prevention, asylum, refugee status determination, resettlement of bona fide refugees, repatriation of

non-refugees, monitoring of returnees, reintegration and the financing of activities with the assistance of the donor community, including the European Union.

65. From the standpoint of implementation, CPA had for the first time involved all the key actors: countries of first asylum, countries of resettlement, donor countries, UNHCR - as the central coordinator - and above all the countries of origin. The importance of the latter's inclusion was noteworthy, as any durable solution to the problems of refugees depended on addressing the root causes of population movements and on preventive measures. The readmission of non-refugees by countries of origin was another crucial factor. Thailand, for its part, while adhering strictly to its humanitarian tradition, had not yet adopted a policy of local integration or local resettlement.

66. Yet the implementation of CPA was not without shortcomings. It was a compilation of closely interrelated measures to be carried out simultaneously and in full, and all parties must adhere strictly to and respect their obligations without making exceptions. Disinformation, which gave rise to misunderstanding and false expectations on the part of refugees and asylum-seekers, threatened to aggravate the refugee problem and undermine the repatriation process. The success of a durable and comprehensive solution largely depended on the will of countries of origin unconditionally to accept the return of their citizens. In that regard, Thailand welcomed the cooperation it had received from Viet Nam and from the Lao People's Democratic Republic.

67. The funding shortfall could be a disrupting element in the implementation of a comprehensive and durable solution. Fortunately, CPA was unaffected by that problem thanks to the generosity and perseverance of the donor community and to UNHCR's excellent coordinating efforts. However, the task of acting as host to refugees entailed not only financial and administrative costs; it also had repercussions on the local population and on the environment.

68. He pointed out that reintegration was a vital element of the repatriation process, as it helped to increase the absorptive capacity of the countries of origin and helped refugees to resume a normal life. However, he believed that there was room for improvement of reintegration. A durable solution to the refugee problem must be purely humanitarian and not political. It had to be comprehensive and to take into account the interests of all concerned. It should reflect the spirit of international burden-sharing and address the root causes of the problem: in other words it should entail development activities. Thailand was convinced that prevention was the best policy and that the socio-economic conditions in the countries of origin should not be disregarded. For its part, Thailand was cooperating with its neighbours, in particular within the Mecong River Commission, and in a variety of economic and technical cooperation activities, to eliminate the causes of the refugee problem.

69. He said that for almost 10 years Thailand had acted as host to 80,000 displaced persons and addressed an urgent appeal to UNHCR to continue its negotiations with the country of origin to permit them to return in safety. Thailand unreservedly supported UNHCR's efforts to strengthen its cooperation

and partnership with other international and intergovernmental organizations in order to cope with the complex refugee problem and to find means of facilitating refugee reinsertion.

70. Mr. RUDDOCK (Australia) said that his presence, as a minister, illustrated the importance attached by the Government of Australia, like other Governments throughout the world, to the question of systems for determining refugee status. Australia was proud that since the Second World War it had unceasingly come to the assistance of the victims of humanitarian crises and provided them with resettlement opportunities. As UNHCR had reported that some people attempted to use asylum procedures to circumvent normal migration criteria, Australia took care to offer assistance only to those in genuine need, and in particular to those in camps overseas.

71. Australia noted with concern that some judicial bodies, including Australian ones, erroneously interpreted the provisions of the Convention relating to the Status of Refugees. Although Australia wished to maintain a transparent and fair determination process, it believed that it was important to reduce the processing time and cost of the system, which affected Australia's capacity to assist refugees and to facilitate their settlement. Australia also noted with concern a new trend for some asylum-seekers to prolong their stay in Australia indefinitely, in particular by submitting appeals to international bodies such as the Human Rights Committee on the basis of international instruments other than the Convention. The Government of Australia would not allow the increased complexity of procedures to undermine its system for determining refugee status.

72. In response to those concerns, Australia had implemented two important initiatives. The first had been to set a ceiling of 2,000 on the number of persons who could be granted refugee status in Australia. The second had been to review the immigration and refugee decision-making process in order to provide Australia with an efficient system for assessing applications. Community organizations had been consulted as part of the review process, to which the regional representative of UNHCR in Australia had made a submission. Applications were assessed by officials of the Ministry of Immigration and Multicultural Affairs, in accordance with objective criteria, and unsuccessful applicants could appeal to the independent refugee review tribunal. However, there was a danger that scarce resources would be monopolized by cases of doubtful merit.

73. Australia believed that UNHCR should clarify, in conjunction with members of the Executive Committee, the definition of particular social groups. Another central issue was the need for countries voluntarily to accept the return of their citizens who did not meet the requirements to remain in countries such as Australia. The Government of Australia unreservedly supported UNHCR's view that for the vast majority of refugees and displaced people voluntary repatriation, in conditions of safety and dignity, was the appropriate long-term solution.

74. Between July 1995 and the end of June 1996, Australia, in response to UNHCR's appeal, had approved the resettlement of 15,000 refugees, more than 12,000 of whom were from the former Yugoslavia and the Middle East, together with more than 600 others under its Women at Risk Programme. In November, Australia, in partnership with UNHCR, would be host to a conference on

regional approaches to refugees and displaced persons. Australia hoped that the conference, the first of its type in Asia and the Pacific, would be the start of an ongoing dialogue on refugees, displaced persons and asylum-seekers, and would serve as a useful model for other parts of the world. Despite budgetary difficulties, the Government of Australia had maintained the level of its contribution to UNHCR's budget.

75. The Government of Australia had welcomed the recent visit by the High Commissioner, Mrs. Ogata, which had made it possible to strengthen the links between Australia and UNHCR. His delegation commended the role played by UNHCR on behalf of refugees and displaced persons in the former Yugoslavia, in particular through its provision of a "humanitarian space" to permit a political solution to be found to the conflict.

76. All the countries affected by refugee problems and humanitarian crises, together with the relevant international organizations should join in a comprehensive approach. In South-East Asia, CPA had resulted in the return and reintegration of over 88,000 refugees to Viet Nam and the resettlement of over 74,000 Vietnamese refugees, 18,000 of whom had settled in Australia. CPA would never have been successful without the combined efforts of countries of origin, asylum and resettlement, of UNHCR, IOM and other international organizations, together with NGOs. He reiterated Australia's commitment to assisting genuine refugees and said it would continue to pursue a vigorous resettlement programme and support UNHCR's activities.

77. Mr. MAELAND (Norway) said that the theme of the current session, "the pursuit and implementation of solutions" was all the more appropriate because the international community, including UNHCR, was endeavouring to ensure the safe return of large numbers of refugees from Bosnia, Rwanda and other sources of refugee flows. His Government which shared the international community's view that voluntary return was the best solution to refugee problems, commended the High Commissioner's efforts to make States aware of their responsibility to prevent situations that gave rise to refugee flows and to promote conditions conducive to repatriation. In that respect, it was appropriate to reiterate the right of all persons to return to their country and the duty of all States to accept them.

78. The restoration of peace was a key condition for a durable solution to refugee problems in conflict areas and Norway appreciated UNHCR's vital contribution to peace efforts within the framework of comprehensive approaches. Norway had played an active role in seeking peace in areas of conflict where there were large numbers of refugees, most notably in the Middle East, in Central America and in Africa, in most cases in close cooperation with United Nations agencies. Viable solutions demanded that efforts to safeguard human rights should be paralleled by efforts to bring about socio-economic rehabilitation.

79. When repatriation was impossible, the most common solution was local or regional integration. However, the burden placed on the socio-economic infrastructure, the environment and in some cases the security of neighbouring countries was a source of concern. It was essential to develop strategies to enhance the ability of many host countries to continue to offer possibilities for local integration.

80. Resettlement was the third major durable solution. So far only 10 countries had established quotas for the resettlement of refugees. Norway urged other Governments to respond actively to the resettlement needs of refugees in a spirit of burden-sharing. The Government of Norway placed particular emphasis on the needs of two vulnerable groups - women and unaccompanied children. The latter were particularly vulnerable on account of their dependence and developmental needs.

81. His Government attached special importance to the need to strengthen United Nations capabilities for preventive action. In that context, he referred to the initiative of the Norwegian Prime Minister, Mrs. Gro Harlem Brundtland, to establish a fund for preventive action. The High Commissioner could play an important role in preventive efforts, especially through UNHCR's institution-building and training activities as well as its activities on behalf of stateless and internally displaced persons.

82. Norway agreed with the High Commissioner that lasting solutions to complex refugee problems called for comprehensive efforts involving both countries of origin and of asylum. The Programme of Action adopted at the CIS Conference in May at Geneva, which was designed to strengthen the institutional capacity of the CIS countries to develop policies and operational activities that could serve as a model for regional solutions, was of particular relevance.

83. Norway was concerned by the situation of the refugees in the Great Lakes region. UNHCR, the States of the region and donors should all continue to consider measures and strategies to resolve that enormous human tragedy. Humanitarian action should be linked to political measures involving both Rwanda and neighbouring countries, to make it more attractive to refugees to return to their country than to remain in the camps. Norway was a staunch supporter of UNHCR's leadership role in humanitarian operations in the former Yugoslavia, to which it had made a significant material and financial contribution. Following the Dayton Agreement, Norway had contributed to the efforts led by the High Commissioner within the Working Group on Humanitarian Issues to coordinate the safe and orderly return of refugees. Norway intended to continue its close cooperation with UNHCR in the matter.

84. His delegation emphasized that not only UNHCR, but also the United Nations system as a whole should achieve a greater level of predictability and timeliness in emergency responses and the pursuit of solutions. The Government of Norway attached great importance to the implementation of Economic and Social Council resolution 1995/56, and expected UNHCR to continue to participate actively in the Standing Interagency Committee so as to improve coordination and efficiency in the search for solutions to complex emergencies. In conclusion, he commended the High Commissioner for the leading role she played in the humanitarian community and assured her of Norway's continuing support.

The meeting rose at 1.15 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.508
10 October 1996

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-seventh session

SUMMARY RECORD OF THE 508th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 7 October 1996, at 3 p.m.

Chairman: Mr. MCHUMO (Tanzania)

CONTENTS

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.96-02952 (E)

The meeting was called to order at 3.25 p.m.

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (agenda item 4) (continued) (A/AC.96/863, 867 and 872)

1. Ms. ANDERSSON (Sweden) said that Sweden fully associated itself with the views that had been expressed by the European Union. She welcomed the solutions found during the 1990s to some of the protracted conflicts that had caused mass movements of people and had made return possible in southern Africa, Latin America and parts of Asia. UNHCR's role in safeguarding humanitarian principles and preventing, addressing and resolving complex emergencies made the High Commissioner a key player on behalf of the international community. UNHCR must remain flexible while maintaining its focus. There was increased awareness of the need to involve both countries of asylum and countries of origin and to tie preventive action in with relief, post-conflict recovery and sustainable development, so as to promote eventual safe return. Since UNHCR was limited by its mandate and resources, it must act in close cooperation with other humanitarian, human rights and development organizations and with Governments. Repatriation programmes must include concern for successful reintegration, for example, in the Great Lakes region of Africa.

2. Successful examples of crisis prevention included UNHCR participation in the Regional Conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States, held in Geneva in May 1996, and in the Humanitarian Issues Working Group concerning return to, and rehabilitation in, Bosnia and Herzegovina, where Sweden had agreed to the operational plan and would participate in consultations on its implementation. She noted that no one had yet proposed a solution to the conflicts in Central and West Asia.

3. Such a comprehensive approach required the cooperation of other international organizations and States. Very important was the process initiated by Economic and Social Council resolution 1995/56, on the need to strengthen the coordination of humanitarian assistance within the United Nations system. In that regard, her Government welcomed the steps taken by UNHCR and the discussion within the Standing Committee; the role of the Department of Humanitarian Affairs was also vital. While there had been calls for memoranda of understanding and clearly-defined responsibilities and objectives, the key to inter-agency coordination lay in field operations, where there was a need for creative approaches to collaborative, cost-effective and sustainable ventures. The management changes initiated by the High Commissioner would make for situation-specific analyses in response to the organizational implications of a comprehensive approach to protection. In each case, a balance must be found between protection and assistance programmes.

4. The increased focus on countries of origin in the search for solutions raised the question of internally displaced persons, a matter in which the UNHCR mandate must be joined by a coordinated response from the United Nations system, not only as on humanitarian grounds but also to avoid further forced migrations.

5. In September 1996, the Swedish Government had presented a bill to Parliament outlining its migration and asylum policy. That bill made a commitment to a comprehensive approach involving efforts to promote peace, respect for human rights, social and economic development and continued support for UNHCR. A wider interpretation was given to the Geneva Convention, and victims of persecution by non-State agents were explicitly recognized as refugees under that Convention. As in the past, her Government was eager to provide legal protection to the victims of armed conflict, torture and other inhumane treatment, and the bill explicitly addressed the problems of victims of gender-related persecution, environmental disasters and persecution of homosexuals. Swedish resettlement cooperation with UNHCR, including the quota, would also be maintained, and Sweden urged other countries to join the existing group of resettlement countries.

6. Mr. AKAO (Japan) said UNHCR's two most significant achievements in 1996 had been the successful conclusion of the repatriation and resettlement processes in Mozambique and of the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA), adopted at the International Conference on Indo-Chinese Refugees in 1989. There had been progress in countries such as Angola and Guatemala and while there were, as yet, no plans for large-scale repatriation of refugees and internally displaced persons in the former Yugoslavia, the recent elections in Bosnia and Herzegovina augured well for the pursuit of durable solutions based on the Dayton Peace Agreements. Although various refugee problems persisted, for example, in the Great Lakes region of Africa, there had been no new large-scale refugee crisis in 1996, a fact which would allow UNHCR to use its resources to pursue lasting solutions rather than merely respond to emergencies.

7. With more than 1.4 million refugees, the Indo-Chinese refugee crisis had been one of the most serious in the world. Thanks to the CPA, the repatriation of non-refugees and the closure of refugee camps had been virtually completed by June 1996, and the CPA had been formally ended. In Japan, too, the majority of non-refugees had been repatriated through the Orderly Return Programme. The CPA had set a precedent as a comprehensive approach to durable solutions by combining the efforts of the countries concerned as well as the assistance of the international community, taking measures in both the countries of origin and the first asylum countries to ensure not only the repatriation of non-refugees, but also their integration in local communities in their countries of origin, and resettling in third countries those who were granted refugee status under screening procedures. By alleviating poverty in local communities, one of the root causes of the exodus, the recent economic development of Viet Nam had contributed to the success of the CPA.

8. The refugee situation was changing: asylum countries were demonstrating a less generous attitude towards refugees and the international community was placing greater emphasis on their human rights. A comprehensive approach along the lines of the CPA, might help to find durable solutions to that problem. Such an approach must be multi-faceted; it must find a political solution to the underlying problems, and economic aspects should also be addressed. Improvements in the social and economic infrastructures of the countries of origin were an important factor in the repatriation and reintegration of refugees, and rehabilitation and reconstruction in the

post-conflict period were crucial in preventing a further exodus. Assistance to neighbouring countries should be taken into account, since the inflow of large numbers of refugees impeded those countries' economic and social development, threatened to destabilize their social order and seriously affected their natural environment.

9. While UNHCR had the pivotal role in a comprehensive approach, political and economic factors might be beyond its control. UNHCR humanitarian activities might facilitate improvements in the political climate, but the Security Council or regional organizations such as the Organization for Security and Cooperation in Europe (OSCE) and the Organization of African Unity (OAU) should take prime responsibility for seeking political solutions. Similarly, in economic matters the UNHCR Quick Impact Projects (QIP) could play a catalytic role in the reintegration or rehabilitation of refugees, yet it was for the World Bank, the United Nations Development Programme (UNDP) and bilateral donors to pursue middle- or long-term development and post-conflict reconstruction. Close cooperation among those organizations was essential.

10. The root causes of refugee problems were difficult to detect and large-scale population displacements difficult to predict. However, early detection and prevention could solve problems at relatively low cost and, even after refugee outflows had begun, it was possible to prevent the situation from deteriorating. He welcomed the close cooperation between UNHCR and other international organizations during the Regional Conference on the Commonwealth of Independent States and the resulting Programme of Action, which offered a successful example of a regional approach. His Government supported UNHCR plans to hold regional consultations on populations displacements in Central Asia, South-West Asia and the Middle East, and hoped that they would produce durable solutions and had decided to contribute US$ 200,000 to defray the expenses of those consultations. Japan also welcomed two regional meetings on refugee issues scheduled for 1996: the Seminar on the Status and Treatment of Refugees to commemorate the thirtieth anniversary of the Bangkok Principles Concerning the Treatment of Refugees, sponsored by UNHCR and the Asian-African Legal Consultative Committee, and the Conference on Regional Approaches to Refugees and Displaced Persons in Asia, sponsored by Australia and UNHCR. In view of the lessons learned from the recent solution to the Indo-Chinese refugee problem, it was appropriate to emphasize the importance of a regional approach, and Japan intended to participate actively in those events.

11. It was becoming increasingly difficult for UNHCR to cope with complicated refugee issues, and coordinating the activities of humanitarian organizations should therefore be one of the international community's priorities. He welcomed UNHCR's efforts in implementation of Economic and Social Council resolution 1995/56. However, coordination for its own sake would merely produce greater inefficiency and, at the field level, it was the organization with the strongest operational presence in the country that should play the central role. Finally, in areas where UNHCR had neither expertise nor a mandate, it should cooperate closely with other United Nations bodies.

12. Since poverty in local communities was one of the root causes of refugee outflows, it was important to promote the development of developing countries. Japan had held a High-Level Seminar on African Development in August 1996, co-sponsored a High-Level Symposium on Conflicts in Africa, called "Road to

Nation-Building in the Post-Conflict Period", in September 1996, and hoped to convene the second meeting of the Tokyo International Conference on African Development (TICAD II) in 1998; a preparatory meeting for that Conference was to be held in Tokyo in 1997.

13. Japan, deeply concerned about the threat to international security posed by anti-personnel mines, had decided to support international efforts for a worldwide ban on their use and to take unilateral initiatives in that regard. It also proposed to hold an international conference at the senior official level in Tokyo in March 1997 with a view to reinforcing international support for United Nations work in mine clearance, the development of new technology for land-mine detection and removal and international assistance for rehabilitation of land-mine victims.

14. Lastly, in view of the existence of 26 million refugees worldwide, Japan had decided to add an additional US$ 50 million to the funds that it had already contributed to UNHCR programmes in 1996.

15. Mr. LAFRENIERE (Canada) said that Canada welcomed the new format for the Executive Committee's annual debate, which offered the Committee the prospect of achieving broad international consensus on a complex issue, and also the theme of the pursuit of durable solutions, for it was not enough to sustain and protect the displaced victims of refugee crises, particularly when those victims were women and children. Leaving refugees for long periods in camps, or scattered abroad in a legal limbo, merely fostered long-term dependence and made permanent solutions more difficult. The paper on durable solutions (A/AC.96/872) rightly emphasized the importance of returning refugees to their countries of origin. However, a climate of confidence was an essential precondition for such a return. Where that was impossible, the preferred alternative was local integration, and Canada encouraged UNHCR to make renewed efforts in that regard. In cases where neither solution was feasible, resettlement abroad was the only practical option, and Canada had resettled over 25,000 refugees during 1996. The new Canadians, who, over the past few decades, had found shelter and a future in Canada, had greatly enriched its society, and other countries should recognize their own responsibility to provide tangible assistance of that kind.

16. In the search for durable solutions, all countries should support UNHCR, which should continue to examine its own performance and, when necessary, take difficult decisions. In that regard, Project Delphi, which was a significant effort by a United Nations agency to adapt to constantly changing demands, was most gratifying. Equally welcome was the greater delegation of decision-making to the field, the development of a capacity to extend and contract operations quickly and effectively, and result-oriented assessments of UNHCR programmes. All long-standing UNHCR operations and offices should be thoroughly assessed and, if they had outlived their usefulness, closed down.

17. The tools of the past were outdated and new ways must be sought to aid refugees by going beyond the traditional concept of protection and expanding the role of UNHCR in the field of prevention. UNHCR should contribute to research at the international level on the fundamental causes of refugee problems, including inter-ethnic hatred and nationalist extremism. Canada welcomed the UNHCR commitment to its Centre for Documentation and Research and

encouraged it to forge new alliances aimed at the development of an integrated global strategy, using as many international, regional and non-governmental organizations as possible. Preventive measures, like solutions, were as many and varied as the situations they were aimed at solving.

18. Other problems to be addressed were ways to obtain the support of the countries concerned in implementing effective preventive measures, establish the requisite conditions for voluntary repatriation and ensure the safety of refugees and workers in the field of humanitarian assistance.

19. Mr. van WULFFTEN PALTHE (Netherlands) said that UNHCR found itself in an increasingly difficult situation in the Great Lakes region of Africa with respect to the refugee caseload caused by the crisis in Rwanda. Under extremely difficult circumstances, it had been implementing a care and maintenance programme unrivalled in its history. At the same time, it seemed to be caught in the middle of a very complex political situation, with opposing factions fighting to control the refugee population; Governments threatening to repatriate refugees, if necessary by force; and countries of origin simply not doing enough to make voluntary repatriation possible. The security situation in and around the camps in Zaire was explosive, and the environmental degradation and various basic needs required urgent action. UNHCR could not be left in an isolated position in Zaire. The international community, the countries directly involved in the conflict and the United Nations as a whole needed urgently to develop a new repatriation policy in order to break the present stalemate in the region.

20. Like UNHCR, his country was of the view that voluntary repatriation should remain the core of any repatriation policy. In creating an overall framework for the enhanced repatriation of Rwandan refugees, the underlying principle was that forced repatriation was not viable. The Netherlands therefore proposed an alternative option, namely, a phased, step-by-step closing of the camps. The camp closures should be based on a clear set of criteria, among which security and manageability of the caseload were prominent. Consideration should be given first to closing the smaller camps located closest to the border, since they tended to increase instability in the region. The refugees in those camps would be free to choose between either repatriation or relocation. A package of material incentives would have to be placed at their disposal. They would also be informed that the level of assistance would be decreased if they opted for relocation. Host countries should be encouraged to start a dual screening process for those refugees who refused repatriation, the first in search of human rights violators, and the second to determine individual refugee status. Additional security measures were clearly required for such a strategy.

21. Conditions in Rwanda must improve if a lasting and safe return was to be possible. The judiciary needed to start processing the cases of those currently being held in prison. There was an important role for the human rights field operations to play in monitoring the return of refugees to their home communities. Land property issues needed to be resolved. Also essential to the repatriation process was the continuing support of the Governments of Zaire and the United Republic of Tanzania. Enhanced security arrangements, screening, and compliance with asylum procedures demanded greater involvement by those Governments. He trusted that the necessary political will was there.

Nevertheless, those asylum countries could not be asked to carry the burden alone. The need now was for united action by UNHCR, Rwanda, the asylum countries and the donor community, in order to find durable solutions to the crisis in an increasingly volatile region. To that end, he looked to UNHCR for leadership and his country stood ready to contribute further to the development of a new repatriation policy.

22. Mr. TABESH (Islamic Republic of Iran) said that political instability, social injustice, human rights violations and intolerance had traditionally been named as the main causes of various forms of displacement and refugee movements. What had received less attention, however, was the fact that a deteriorating economic situation in some parts of the world had emerged as a serious challenge. If that problem were not properly addressed, the chances of finding durable solutions to various forms of displacement were slim. Since most of the refugee-producing and refugee-receiving countries were in the developing world, the challenge of development should be perceived as one of the priorities on the agenda. A comprehensive approach was needed in addressing the root causes of involuntary population movements.

23. Many refugee problems could be addressed at the regional level with appropriate international support. Initiating a process of consultation among neighbouring countries could have a positive influence on the implementation and follow-up of sustainable solutions. The Regional Conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States (CIS) and relevant neighbouring States was one example. In 1995 his Government had suggested a similar conference for its own region with a view to devising preventive actions and formulating regional solutions. Over the past few months, UNHCR had held preliminary consultations with his Government and neighbouring countries, and Iran appreciated its actions.

24. The focus on a regional approach should not be at the expense of international involvement. A regional approach did not mean that only the regional countries were responsible for providing assistance to refugees. Furthermore, in any regional approach, a special relationship between the countries of origin and the receiving countries should be established. In that connection, UNHCR had to develop a practical strategy. It was also important to create a broader relationship between UNHCR and international development and financial institutions. In recent decades, the role of NGOs as partners in action in emergency situations and in the aftermath of crises had grown. His Government had welcomed that partnership and during the past several years had cooperated with the International Consortium for Refugees in Iran, but the level of NGO participation was not yet satisfactory.

25. Iran continued to host the largest refugee population in the world, with more than 2.1 million refugees. Ongoing crises in neighbouring countries and illegal immigration had further complicated the situation. While hosting 1,426,000 Afghan refugees owing to civil war and the deteriorating situation in Afghanistan, the voluntary repatriation of Afghan refugees had dramatically decreased. During the past few months, Iran, Afghanistan, Turkmenistan and UNHCR had agreed to facilitate the repatriation of Afghan refugees through Turkmenistan to northern Afghanistan. The mechanism of that operation had been finalized, but recent developments in Afghanistan had hindered the

operation. Since the desirable solution, namely, voluntary repatriation, had been made practically impossible, UNHCR should reactivate other solutions, in particular, resettlement.

26. Recent developments in northern Iraq had produced a new emergency situation and compelled Iraqi refugee populations to continue to remain in Iran. Following the outbreak of internal fighting in northern Iraq in early September 1996, some 300,000 inhabitants of war-stricken towns and villages had rushed across the borders. His Government, in line with its humanitarian policy and with full operational capacity, had provided timely emergency relief to those refugees. Together with international humanitarian organizations, it had assisted Iraqi displaced persons within the territory of their own country, but owing to the expansion of fighting to the border areas where the Kurdish asylum-seekers had gathered, Iran had undertaken to admit 60,000 of those refugees and accommodate them in five camps along the border. By admitting those refugees, the majority of whom were women and children, and not breadwinners, his Government had rescued them from tragic suffering. To date Iran had spent about US$ 10 million of its own national resources for refugees accommodated inside the country. If they prolonged their stay, especially during the long and cold winter in western Iran, both they and the host country would be faced with great problems unless the international community took serious action to assist them. Despite the fact that UNHCR and other humanitarian organizations had had full access to the refugee camps during the crisis, the level of international assistance received so far was not satisfactory, and Iran expected more contributions from donor countries and NGOs to alleviate the human suffering of the Iraqi Kurdish refugees.

27. Mr. LOHANI (Observer for Nepal) said his country had been faced with the burden of providing asylum for the largest caseload of refugees in the region. Besides the enormous economic burden, the continuing presence of a large number of refugees in already densely populated areas of Nepal for over six years had created economic, social and environmental problems. Growing deforestation and excessive pressure on social service delivery systems, groundwater supply and sanitation had greatly increased the environmental, economic and social costs. There were close to 91,000 Bhutanese refugees in 8 camps in 2 districts in eastern Nepal. As a party to all the major international human rights conventions and as a country dedicated to the norms of democracy, Nepal could not refuse them shelter. From a very early stage it had started making efforts to engage Bhutan in talks to end the problem, but a solution remained as elusive as ever.

28. During its contacts with Bhutan, Nepal had adopted a flexible approach to facilitate an early and durable solution. His Government had accepted the Bhutanese proposal to classify the refugees into four categories and had agreed to the nomenclature for those categories. The two sides had also agreed on a mechanism for joint field verification to determine the status of each individual in the refugee camps. The Nepalese Government had been proposing that field verification should be undertaken with the assistance of an organization or agency with proven competence and impartiality. The Government's dialogue partners, however, were keen on harmonizing the positions of the two countries on each of the four categories, an exercise that had dominated the last four rounds of bilateral talks.

29. Contrary to the belief held in some circles, Nepal fully respected a country's desire to preserve its unique cultural and religious heritage. National identity was an important component of political sovereignty. Yet, a national identity could be meaningful only if it provided political and economic space to all the ethnic groups and communities in a nation. Preservation of the cultural heritage of one segment of the population at the expense of the equally inviolable heritage of another important segment of the population of the same country could not be helpful in preserving peace and harmony. How a country maintained the balance and harmony was an internal affair of that State.

30. Insistence on the application of national citizenship and immigration laws in the verification process had proved to be another stumbling block. Nepal's dialogue partners insisted that most of the Bhutanese refugees had left the country of their own accord and that the laws of Bhutan decreed forfeiture of citizenship in such cases. Emphasis on that point was not helpful in solving the problem, because the Bhutanese refugees could not be citizens of Nepal. It was hard to understand that almost one sixth of the population of a country should voluntarily choose within a short period of time to renounce the safety and security of home and society in exchange for an uncertain future in a refugee camp in a foreign country. Bhutanese refugees in camps in Nepal told stories of leaving under duress. To overcome that problem, Nepal had proposed that the refugees falling under the category of those who were said to have left voluntarily should be given the option to return.

31. The problem of the Bhutanese refugees in Nepal was by its very nature international, in that thousands of people from one country had crossed international borders and sought asylum in a third country that did not share a contiguous border with Bhutan. The solution therefore demanded resort to the established international norms and practices. Insistence on national legal and other procedures opened the possibility of creating statelessness on a very large scale. Despite the obvious disappointment stemming from the failure of the seven rounds of bilateral talks, Nepal was still willing to continue the search for a solution within the bilateral framework. He welcomed initiatives by the Executive Committee, UNHCR and friendly countries to help it move towards an early and lasting solution.

32. Mr. VERGNE SABOIA (Brazil) said that, in view of the multifaceted root causes of refugee influxes, he greatly valued the ongoing search for a broader recovery and reconstruction strategy that could anchor repatriation and UNHCR short-term assistance on solid ground. Whilst a period of increased stability in international affairs might be in sight, and whilst the number of refugees had decreased, there was a widespread negative perception of the scope of the refugee problem, which was considered to be on the rise. Brazil welcomed the fact that, in 1995, more than 1 million refugees had returned to their countries of origin, 450,000 of them with UNHCR assistance. It hailed the decision of the Government of Mexico to allow for the local integration of refugees from Guatemala, an initiative that could make all Latin America proud of the region's record in that area. It was regrettable that the same could not be said of the situation of the refugees from Bosnia and Herzegovina, whose plight had been addressed much more slowly than expected since the signing of the Dayton Agreements, and in the region of the Great Lakes.

33. He concurred with the growing trend to place emphasis on voluntary repatriation as a preferred solution, without ruling out third country resettlement and local integration as important options. Even if voluntary repatriation was the favoured solution, however, some refugee-generating situations might be of a long-term nature and would require other responses. Whilst Brazil understood that the emphasis on voluntary repatriation had meant that greater importance was attached to the prevention of forced displacement, the present situation in the field of international peace and security, with persistent and looming ethnic conflicts, did not make for much optimism when it came to the real possibility of anticipating and preventing the sudden surge of refugee emergencies and mass influxes. Moreover, it was accepted that purely preventive action focused on the causes of forced displacement had no support in the UNHCR mandate.

34. Brazil viewed with concern and alarm some troubling trends in the matter of protection around the world. It was indispensable for the international community to uphold and strengthen the institution of asylum and the principle of non-refoulement, the two pillars of international protection. It was important that States should be able to limit abuses and curtail illegal immigration and at the same time not prejudge the demands for asylum and guaranteed access to safety for refugees. The fine line that sometimes seemed to separate issues relating to illegal immigration and refugees should not be used as a means to blur the specific aspects pertaining to the latter question.

35. His Government was preparing a draft law to regulate the situation of refugees in the country in a comprehensive manner based on the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees. Brazil had also acceded to the 1954 Convention relating to the Status of Stateless Persons.

36. Mr. KOLOSSOVSKY (Russian Federation) said that the pursuit and implementation of durable solutions to the problems of mass population displacement required the elaboration of a general strategy for humanitarian action and made it possible to define more precisely the role and place of humanitarian factors in the international community's approach to crisis management. In the absence of a clear final aim and of efforts to address the root causes of massive refugee movements, humanitarian action would merely boil down to expensive efforts and assistance that depended on changing international circumstances.

37. Analysis of the complex nature of modern conflicts and of the scale of related refugee flows showed that the refugee problem was a question of national, regional and international security. Coordinated efforts in the political, social, economic and other spheres were required to eliminate the consequences and causes of crises. Their final aim should be the security of the individual in a dynamically developing society within a State governed by the rule of law. The international community as a whole shared that goal and his delegation appreciated the attention paid by UNHCR and by the humanitarian community to the concepts of "comprehensive approaches" and "preventive actions". One significant step taken recently had been the Regional Conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the CIS and

relevant neighbouring States. Thanks to the persistent efforts of UNHCR, and in particular of the High Commissioner, the Conference had been a creative laboratory in which all aspects of migratory flows on the territory of the CIS countries had been analysed and concrete measures developed to provide durable solutions to the problems and to prevent new flows of refugees and displaced persons. He expressed his gratitude to all the donor countries, and in particular to Switzerland, which had made that forum possible.

38. The Conference had thoroughly analysed the complex migratory processes under way within the post-Soviet area and had recognized that their significance spread far beyond the region. It was the responsibility of the international community to take concrete steps to support the efforts of the CIS countries to solve the refugee problems and to implement without delay the substantive Programme of Action adopted by the Conference.

39. His delegation appreciated that the main responsibility for implementing the Conference's decisions lay with the CIS States, and Russia had already embarked on the task. It was examining the possibility of making specific amendments to the laws on refugees and forced migrants, had made appropriate amendments to the Framework law on migration policy and strengthened federal and regional organs of the national migration service. The recently adopted national social programmes on employment, family protection and women and children contained special sections on migration matters. Coordination had also begun to combat illegal migration in the CIS countries, with which several bilateral agreements on resettlement processes had been signed.

40. However, it was important for national efforts to be supported by international assistance, based on the principle of international solidarity embodied in the Conference's final document, in order not only to reduce the migratory pressure on the economies of the CIS countries but to create an additional psychological impulse. In that connection, his delegation welcomed the UNHCR/IOM joint operational strategy in the CIS countries for the years 1996 to 2000. He appealed to donors to support the strategy and was grateful to the United States of America, which had announced its Government's decision to allocate US$ 1.5 million to implement the Conference's decisions.

41. As to some of the preliminary results of the Conference, a number of elements were of universal significance. First of all, humanitarian efforts to resolve the problems of refugees and migrants had to be combined with broader political action by the international community to overcome crises and to link humanitarian assistance with a smooth transition from emergency aid to the rehabilitation and reconstruction of societies. The search for and implementation of long-term solutions relating to repatriation, integration or resettlement in third countries should be constant. Attention should focus not only on emergencies but also on the creeping process of forced migration. Regions where no lasting solution was found posed the constant threat of a new explosion, as was apparent in Bosnia, in the African Great Lakes region and currently in Afghanistan. Such explosive situations still persisted in the "hot spots" of the CIS: Abkhazia, Nagorny Karabakh and Tajikistan where Russia's peace-making efforts needed to be underpinned by humanitarian assistance.

42. Decisions on long-term solutions should be realistic and should meet the needs of people, with the 1951 Convention relating to the Status of Refugees and the 1967 Protocol as the fundamental point of reference. The observance of human rights together with opposition to discrimination, national and religious intolerance and aggressive nationalism were important prerequisites for preventing refugee flows, as well as an integral part of a comprehensive approach to the problems of involuntary displacement. Of great importance was a solution to the problem of citizenship in certain States and he wished to express his delegation's support for UNHCR's efforts in that respect. It was the permanent link between the individual and the State responsible for his protection that prevented crises and potential refugee flows, and it was no secret that his Government was particularly concerned about the citizenship problem in Estonia and Latvia.

43. As for follow-up machinery, his delegation appreciated UNHCR's role in developing approaches to population displacements and believed that the Office should become the lead agency whenever crises led to the emergence of large-scale refugee flows. UNHCR possessed appropriate know-how and operational resources and skilled personnel. He was grateful to the High Commissioner for the programmes implemented by UNHCR in Russia, in particular for the benefit of the victims of the Chechen crisis. Hopefully, the steps taken by the Federal authorities to consolidate a peaceful solution to the crisis would allow inhabitants of the Chechen Republic of all nationalities to return to normal, peaceful lives, and the restoration of peace would enable UNHCR to work there.

44. He also stressed that the first results were to be seen of the improved coordination among the humanitarian institutions, resulting from the adoption of Economic and Social Council resolution 1995/56. The emphasis placed at the Interagency Standing Committee on mutually complementary efforts, the use of comparative advantages and more accurate role distribution in field operations were a step in the right direction. Perhaps the Executive Committee would move further in that direction at the present session. A flexible, operational or even modular system for United Nations humanitarian activities, free from monopolism and hyper-centralization was the way forward. He wished to thank UNHCR for its tireless efforts and for the heroism and self-control demonstrated daily in the world's "hot spots".

45. Mr. STEIN BARILLAS (Observer for Guatemala) said that his Government attached the utmost priority to durable solutions to refugee problems. The framework in which new solutions were being implemented was characterized by the progress in the peace negotiations between the Government and URNG, which heralded an end to the 36-year-long armed conflict and paved the way to definitive and lasting solutions to the refugee problem in Guatemala, thanks to the elimination of the political causes. Populations were no longer expelled by the counter-insurgency war and the refugee camps had become the vanguard for a process of reconciliation and development, in which peaceful productive coexistence, rather than war, was the norm.

46. His Government wished to reiterate its open door policy as a mark of its determination to provide a lasting solution to the problems of refugees. Guatemala had made and was continuing to make its contributions, not only

through political negotiations but also through direct investment of its own resources to permit repatriation. The Government had invested almost US$ 70 million of its own funds, in addition to the generous contribution by the international community, in the returnee process and in the purchase of land for reintegration. The immediate offer of land was still available. Guatemala's debt of gratitude to the Government and people of Mexico was incalculable.

47. Guatemala had reached a turning point at which it was making a qualitative leap towards alternative and joint efforts by Mexico and Guatemala to identify durable solutions within a sustainable framework. Such joint efforts were unprecedented and had enabled Guatemala to enrich its own effort with Mexico's generous tradition of granting political asylum and welcoming with open arms persecuted populations from various climes. It was a fitting conclusion to the CIREFCA process. When the Mexico City Conference had closed, the situation in Mexico and Guatemala had been left pending. A durable solution had now been found.

48. The situation regarding internally displaced persons was different. The problem of the reintegration of persons demobilized from the guerilla and the armed forces was compounded by the reintegration of populations displaced by the conflict and factors linked to urban poverty. Lasting solutions to refugee problems were necessarily interlinked with solutions to the problem of internal population displacements.

49. Lasting solutions were possible as a result of two interrelated approaches: Mexico's noteworthy decision to permit Guatemalan refugees in the Campeche and Quintana Roo camps to stay where they were by changing their status, and the comprehensive development programme for border areas recently agreed on by the Presidents of Mexico and Guatemala. One of the basic features of the lasting solution was that refugees were no longer compelled to return to their country of origin and did so only if they wished. The refugee camps contained a population which had been born and grown up in them over the past 15 years, and had experienced only life in the camps. For the children of the original refugees, return would be their first experience of being uprooted. In the Campeche and Quintana Roo camps, the refugees had developed productive activities which ensured not only self-reliance but made a significant contribution to Mexico's GDP.

50. Another basic consideration was the need for economic, social, political, cultural and ecological sustainability not only for selected groups but for entire areas, so that the short-term emergency effort could lead on to development processes and programmes, thus ensuring that the areas of integration in Mexico, and of reintegration in Guatemala, became areas of peace which ensured their inhabitants' prosperity. To that end, solutions were being implemented within a framework of sustainability wherein populations were offered the choice of returning or remaining. Mexico afforded them the opportunity to change their migratory status and to take their place in normal economic life and, in the long term, to choose Mexican nationality. Guatemala, for its part, had introduced legislative reform to permit dual nationality.

51. Thus, over the medium and long term the border between Mexico and Guatemala would no longer be seen as a cordon sanitaire or a barbed wire fence but as an area for joint development. None the less, it was an area marked by precarious conditions, one already beset by serious problems before the counter-insurgency war had started. Although the political roots of the conflict had been eliminated, the social and economic roots remained. It was the remotest, poorest and most neglected area in Guatemala, lacking roads, electricity and telecommunications. A total of 250,000 Guatemalans crossed the border each year to work as temporary agricultural labourers. If the economic situation in Chiapas improved, Mexican labourers from the north would be able to take their place. In 1995 the daily wage had been US$ 1.35, some 80,000 people had been engaged in smuggling and part of the area had been used for poppy cultivation, which offered a far higher return than traditional crops. For the first time, those economic and social problems were being addressed on a binational footing, and the most recent technical meeting between both Governments had led to a number of tangible steps. They included an agreement for the return of 18 groups within the next six months, for a Guatemalan office to be opened in the border town of Comitan, for regular annual visits to be made by Guatemalan mayors to Chiapas to establish direct contacts with future returnees and a decision promptly to inform the embassies of Mexico in Guatemala and of Guatemala in Mexico of any developments.

52. Such progress would not have been possible without the successful political negotiations that had resolved the domestic armed conflict and without the consolidation and development of democracy which, through the successive elections of legitimately established civil governments had made it possible to open the way to participation. Nor would those developments have been possible without the cooperation of the international community, and in particular the generosity and imagination of the Government of Mexico, which had accompanied Guatemala along that arduous path.

53. Mr. CODWELL (Observer for Mexico) said that Mexico had a rich history in the area of refugees. In 1980 the Government had created the Mexican Commission of Refugee Aid and Mexico was also a member of the group of nations that had promoted the Cartagena Declaration, which had expanded the definition of a refugee. It had later incorporated that new definition in its own domestic legislation to afford legal protection for all those who entered Mexico under the definition's criteria.

54. After the Spanish Civil War, the Government of Mexico had opened its embassies and consulates in Europe to offer protection to thousands of Spanish refugees, who had been integrated in Mexico, where they had remade their lives. The contribution of the Spanish community lived on in Mexico in the universities, Mexican culture and the economy. Mexico had subsequently received other notable, albeit less numerous, refugees from central and South American countries who had received equally effective and humane protection.

55. The most notable and critical refugee situation in terms of volume and characteristics had occurred in 1981, with the arrival, across Mexico's southern border, of some 45,000 mainly indigenous, peasant Guatemalan refugees fleeing the armed conflict in Guatemala. They had found a favourable environment in Mexico, where they had settled in ecosystems similar to

their own and where they shared common cultural and ethnic identities and occupations. Mexico had provided them with land and support from its aid institutions. UNHCR had provided international funds for educational, medical and productive programmes and had helped to improve the living conditions of the refugee families.

56. The Presidents of Mexico and Guatemala had recently agreed on the terms of a joint durable solution to the problem of the refugee community in Mexican territory. Mexico recognized, before the international community, the Guatemalan Government's repatriation endeavours, for it had invested its own resources to purchase farms and done its best efforts to reach a durable peace that guaranteed the refugees an environment of security, justice and democracy.

57. Nevertheless, Mexico's own experience had taught it that repatriation alone was not enough to achieve an integrated and durable solution to the refugee problem. Repatriation had to be complemented with receiving-country integration programmes. For that reason, the Mexican Government had implemented a Migratory Stabilization Plan for Guatemalan refugees, aimed at their descendants and the populations of its Guatemalan neighbour. The Plan offered immigrant status to those refugees settled in the States of Campeche and Quintana Roo that wished to remain indefinitely in Mexico and enabled them to acquire rights comparable to those of Mexicans in all areas of life, with the exception of voting rights and the right to hold political office, and subject to other constitutional restrictions on land ownership. During the five years following the granting of immigrant status the Mexican Government would continue to respect the principle of non-forcible return. After that period, the refugees would obtain permanent residence and no longer require protection from the Mexican Commission of Refugee Aid or from UNHCR.

58. The Mexican Government also offered Mexican nationality, under an expedited procedure, to all spouses of Mexicans, parents of Mexican children and refugees that had arrived in Mexico as minors and reached adult age while living there. The Mexican integration plan considerably expanded the human rights of the refugees, which were comparable to those of Mexicans in the case of those who opted for immigrant status and identical for those who chose Mexican nationality. Refugees took the relevant decisions of their own free will.

59. The refugee families in the State of Chiapas, who were less integrated than in Campeche and Quintana Roo, would be granted a new status under which they would be temporarily classified as non-immigrants. However, that status would considerably extend their right freely to move, to work and to purchase property. At the same time, the Mexican Government had, with the cooperation of UNHCR, initiated a study of migratory and socio-economic trends, due to be completed in 1997, in order to identify viable and lasting solutions to the specific problems of the refugee community in Chiapas.

60. In addition to stabilizing the migratory flows, the Mexican plan consolidated the economic self-sufficiency and welfare programmes initiated with the cooperation of UNHCR 14 years ago. Refugees, and in particular minors, who wished to move from the countryside to the cities would be offered nine levels of education and training, while the population that stayed in the

camps would benefit from improvements in the agricultural infrastructure, technical assistance, reforestation projects and credit support. The electricity and water networks would be consolidated to convert the camps into towns rather than temporary settlements. The plan involved Mexican peasants in the development programmes in order to consolidate the refugee camps as rural micro-region development centres. A total of 7 refugee camps and 12 Mexican communities were to be included in the plan and it was estimated that the economic self-sufficiency and social welfare programmes would benefit some 25,000 persons, 53 per cent of whom were refugees and 47 per cent Mexicans, thereby making local integration more complete by developing the social, cultural and economic community of interests between indigenous Guatemalans and their Mexican brothers.

61. In addition to channelling its own resources into those programmes, Mexico had requested international funds from UNHCR and the European Union. The stabilization of their status, backed by education and income-generation programmes would enable refugees, whose first concern had been to safeguard their physical integrity, to pursue the higher objective of improving their standard of living by fully exercising their individual liberties.

62. Mexico was gratified by the fruitful and instructive experience it had shared with UNHCR and with the Government of Guatemala in providing a solution that allowed refugee families to resume normal lives. It was equally pleased to demonstrate how political action in fostering a concerted will that had made it possible to solve the most dramatic of human problems. That vigorous effort would undoubtedly yield fruits that would bring happiness to thousands of inhabitants of ancient Mesoamerica, who would be able to live in freedom thanks to international cooperation.

The meeting rose at 5.35 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.509
8 January 1997

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-seventh session

SUMMARY RECORD OF THE 509th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 8 October 1996, at 10 a.m.

Chairman: Mr. MCHUMO (United Republic of Tanzania)

CONTENTS

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.96-02984 (E)

The meeting was called to order at 10.30 a.m.

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (agenda item 4) (continued) (A/AC.96/863, 867 and 872)

1. Mr. IRUMBA (Uganda) commended the new approach adopted to the consideration of agenda item 4, which focused on a thorough study of specific themes and was conducive to consensus. The theme for the current session was a suitable one, as it made it possible to go beyond emergency operations and to seek durable solutions that preserved the human dignity and self-respect of refugees. The return of refugees was undoubtedly the preferable solution, but it was also necessary to address the root causes of the problem, in other words persecution, armed conflict, civil unrest and violence. Uganda, which hosted numerous refugees and which had in the past been a source of refugee flows, understood the sacrifices made by host countries and the sufferings of the refugees themselves.

2. The causes of the conflicts that caused refugee movements were to be found in poor management of public affairs and failure to respect human rights and the primacy of law. For those reasons, the promotion of human rights and the rule of law should be incorporated into efforts to foster peace, democracy and development. His delegation shared the opinion of the representative of Japan that poverty was the root cause of conflicts. Efforts were required to combat poverty rather than to build fortresses on the borders or to rewrite the Convention to hamper the entry of refugees.

3. Referring to the problems of the East Africa Sub-Region to which his country belonged, he said that Uganda was concerned about the situation in Burundi, which could worsen if nothing was done. Uganda believed that the solution was to ensure security and democracy for all inhabitants. In that respect, the Mwanza Peace Process, which had been strengthened by the Arusha Peace Initiative under the auspices of Mr. Julius Nyerere, provided a viable framework for a national dialogue. The people of Burundi and the international community should support regional efforts to find a solution. With regard to Rwanda, his delegation congratulated the Government of Rwanda for having, despite provocations by those responsible for the genocide, committed itself to a policy of reconciliation and to facilitating the return and resettlement of refugees. Attention should be focused on the ethnic problem in order to promote the rule of law and prevent the use of extrajudicial measures.

4. Uganda believed that, although the return of refugees was the preferable solution, efforts were necessary in the meantime to address the needs of refugees and to identify means of enhancing their dignity, self-respect and independence. For that reason Uganda was implementing resettlement projects to promote the integration and autonomy of refugees. He emphasized once more that a durable solution to the problem entailed respect for human rights and the primacy of law, together with assistance to host countries. He expressed concern at the emergence of new forms of xenophobia, racism and intolerance and deplored that the problem of unemployment in some countries incited people to harass refugees. While he understood the problem posed by unemployment, he believed that it was dangerous to use the weakest as scapegoats.

5. Mr. KHALID (Pakistan) said that Pakistan had followed with great interest the High Commissioner's efforts to improve the effectiveness of UNHCR. If UNHCR's operations were to be successful, it should deploy efficient personnel with an understanding of the region, its culture and its traditions. As a country which was hosting a large number of refugees, Pakistan hoped it would be consulted before any decisions were taken regarding Afghan refugees and other refugee situations.

6. Pakistan was at present host to 1.4 million Afghan refugees, who constituted one of the oldest refugee problems in the world. Pakistan had taken them in and provided them with assistance from its own resources, and had also allowed them considerable freedom of movement inside Pakistan. When assistance from the international community had been abruptly ended, Pakistan had not taken the easy way out offered by forced repatriation, but had continued to provide for them thereby assuming what was an extremely heavy burden for a developing country.

7. Pakistan believed that it was essential to restore peace in Afghanistan, as the large-scale movements of refugees had given rise to massive administrative, economic and social problems. Tension had developed in some provinces whose demographic profile had been changed by the size of the refugee population. The protracted presence of millions of Afghan refugees and their numerous livestock had caused considerable ecological damage, whose cost UNDP had already estimated at over US$ 208 million in 1990. Pakistan believed that voluntary repatriation followed by rapid reintegration was the most logical solution to the refugee problem.

8. In early 1994 hundreds of thousands of Afghans had been internally displaced as a result of the escalation of factional fighting among rival groups in Kabul. More than 200,000 had taken refuge in Pakistan, but UNHCR had registered only 85,000. Because of UNHCR's policy and financial constraints, Pakistan had been obliged to close its border, thus averting the arrival of a further 300,000 refugees. Most of the displaced persons were living in temporary camps and UNHCR and other United Nations agencies should, as a matter of priority, ensure their return, reintegration and resettlement.

9. The majority of the Afghan refugees remaining in Pakistan were from regions where peace had been restored, which therefore required large-scale rehabilitation and reconstruction to encourage the refugees to return. Pakistan was contributing to that process by allowing equipment and other essential items to transit its territory to Afghanistan. Unfortunately, the international community was apparently rather reluctant to commit resources and personnel to the repatriation of the Afghan refugees. Pakistan noted with concern that assistance to the Afghan refugees had been reduced, clearly as part of a premeditated strategy to impose local integration as the solution. However, for Pakistan local integration was neither an acceptable nor a practical solution.

10. Recent developments in Afghanistan undoubtedly held out the best hope for peace in that country since the withdrawal of Soviet forces. He hoped that, as Prime Minister Bhutto had said, the provisional Government set up by the Taliban would modify some of its policies that were considered discriminatory towards women or likely to hold back Afghanistan's economic and social development. None the less, ideological differences should not influence decisions affecting Afghanistan's men, women and children, who had suffered for too long. Holding back assistance for Afghanistan's reconstruction and for the repatriation of the refugees would be tantamount to condemning millions of innocent people, especially women and children. The new prospects for peace should be accompanied by an intensification of international assistance for Afghanistan. That was the best option, both in humanitarian and political terms.

11. Mgr. BERTELLO (Holy See) paid tribute to UNHCR, which had unfailingly set the issue of durable solutions at the very heart of its approach to refugee problems and which had made it, together with protection, one of the pillars of its core activities. Programmes providing material assistance, which were increasingly numerous, should also seek the same end, which was in the interest of all - of refugees, countries of origin or resettlement and of the international community. In view of the increasing number of conflicts and wars, the international community was seeking to prevent new population displacements, which were caused by political upheavals and civil wars, large-scale violations of human rights and the rights of minorities and the expansion of the arms trade. Those who suffered most were the vulnerable groups, and especially the elderly and women and children, who lacked access to essentials such as security, education and health care. It was hardly surprising that most refugees now came from developing countries.

12. The elimination of the causes of the rising tide of refugees and displaced persons was well beyond UNHCR's mandate. That was the task of the international community as a whole and its organizations, which should direct their efforts either towards a form of development that was not restricted to the economic sphere but which asserted human dignity by promoting human rights, or towards appropriate intervention capable of preventing new conflicts from breaking out. However, UNHCR was paramount among those organizations on account of its resources and experience. Apart from the fact that it had to its credit the repatriation of refugees from Mozambique and the recent Conference on the Commonwealth of Independent States, it could also provide valuable analytical tools and put forward constructive proposals in response to sensitive new situations. The Rwandan genocide would probably have been prevented had the international community helped peacefully to resolve the problem of those known as Rwandan "former refugees" in time.

13. On the subject of durable solutions, he said that voluntary repatriation should be based on respect for the principle of free choice, which went hand-in-hand with refugee protection. In order to make voluntary repatriation possible, efforts must be made above all to change the political, economic and social climate which had led to exile. To do so, it was necessary to ensure effective respect for human rights, to adopt policies that promoted the general welfare of all citizens, to provide for the independent administration of justice and devise a development project supported by the international community.

14. The international community must also resolutely commit itself to the more effective control of the trade in and transfers of weapons. The presence of weapons in refugee camps made it even more difficult to pursue peaceful solutions, and anti-personnel mines killed or mutilated thousands of innocent people and hampered the development of entire regions. Occasionally, countries financing humanitarian action were the very same ones that produced and exported weapons, thereby making huge profits. The camps should be demilitarized in order to allow the refugees freely to decide, far from the threat of weapons or the influence of propaganda spread by certain politicians who believed they had everything to gain by preserving the status quo.

15. Reconciliation was a step that all members of a society had to take: not only those living within the society such as the refugees who wished to return to it, but also the international community, which should respect the national identity and specific cultural traditions of each country. Reconstruction and reintegration programmes could bear fruit if people underwent an inner change, allowing them to contribute to the creation of a new society. Their contribution should be based on democratic principles and ideals of solidarity, rather than being directed by dictatorial methods or poisoned by regionalism. The Catholic Church was aware of that responsibility and believed that a fundamental part of its mission was to make its contribution wherever it was present, through its teaching and its works.

16. Mr. ZISWILER (Switzerland) said that, while the public at large perceived UNHCR primarily as an organization working for short-term objectives and attending to the most pressing concerns, its essential mission was to seek durable solutions to refugee problems. Of those durable solutions, voluntary repatriation remained the most desirable. Switzerland, for which voluntary repatriation was a priority, was implementing, in respect of Bosnia and Herzegovina, a policy of encouraging return based both on assistance to individual refugees and on projects to rehabilitate community reception structures in Bosnia. That pragmatic policy had already achieved a degree of success, although there was still some uncertainty about the possibility for refugees to return to their place of origin. For that reason, Switzerland hoped that UNHCR would again convene the countries concerned to dispel the uncertainty.

17. Switzerland fully subscribed to the concept of a comprehensive approach, under which peace-keeping and security, the promotion of economic and social development and of respect for human rights were factors that should imperatively be taken into account in seeking durable solutions. A large number of actors were responsible for the achievement of those aims, the foremost ones being the countries of origin, who were responsible for guaranteeing respect for the human rights of their people so that they were not forced to flee, and for providing material conditions and security to permit the return of the refugees.

18. The international community also bore a responsiblity to provide greater support - within the framework of preventive diplomacy - for efforts to promote regional cooperation, whether political and economic or specifically concerned with population displacements. As UNHCR apparently had no mandate to intervene upstream from a crisis it should not concern itself with prevention as such, which was essentially a political activity. It was

downstream from a crisis that its presence, together with its assistance and protection, would make it possible to prevent further deterioration of the situation. UNHCR, which was a neutral and impartial humanitarian agent, should be wary of becoming involved in unduly sensitive political activities, as that might blur the warring parties' perception of humanitrian agents, making work in the field even more dangerous than it already often was.

19. Lastly, there was the responsibility of the non-governmental or intergovernmental organizations, and in particular those dealing with development. Coordination between humanitarian agents and development agents was of fundamental importance in facilitating the transition from a conflict situation to one of peace and development. UNHCR, like all the humanitarian agents, would have to do whatever was required to pursue solutions, but its responsibility ended there. UNHCR also had an obvious role to play in the promotion of and respect for human rights, although it should limit itself to various aspects of refugee questions in particular and questions of asylum in general. For example, UNHCR should confine itself to passive follow-up action, as in connection with the arrangement between Sri Lanka and Switzerland.

20. The growing complexity of new crises brought all those involved face to face with situations to which they were unaccustomed. Although it had been possible, not so long ago, clearly to distinguish between humanitarian aspects, development aspects and political aspects, that distinction now tended to become blurred in many cases, thereby making it necessary to adopt comprehensive solutions. He commended the High Commissioner and her staff for having adopted a comprehensive approach and for having contributed to efforts to improve cooperation between the various agents, on the basis of their respective mandates and comparative advantages. UNHCR, which was a key player in humanitarian matters, was aware that, beyond institutional issues, such a partnership was a sine qua non for genuine humanitarian action in the interest, first and foremost, of refugees.

21. Mr. ZHANG Yishan (China) said that, while it was encouraging to note that refugee problems in regions such as Central America, southern Africa and Indo-China had been solved in varying degrees, the current refugee situation in the world offered no grounds for optimism. On the one hand, because of the heavy legacy of the cold war and the failure to achieve a political solution, some long-standing refugee problems were defying any immediate solution. On the other, there had been a spate of local wars and armed conflicts caused by racial and religious conflicts and territorial disputes. Poverty, underdevelopment, mounting debt and natural disasters still seriously jeopardized the survival and development of many developing countries. The old international economic order with its irrational and inequitable trading system still dominated the world, and some countries were still even resorting to blockades and sanctions to pursue their hegemonistic aims and interfere in the internal affairs of other States. All those factors were impediments to world peace and development and made it impossible to solve the refugee problem.

22. The Government of China had always held that to solve the refugee problem it was necessary to address its root causes. Peace and development were the two major challenges facing the international community, as well as

being prerequisites for any solution. Only by the negotiated and peaceful settlement of disputes, faster economic and social development and the establishment of a fair and reasonable new international economic order could the necessary political and economic conditions be put in place for an ultimate solution. At the same time, the international community should follow the principle of international solidarity and burden-sharing, and seek a comprehensive solution to the refugee question through different channels so as to create conditions allowing the voluntary repatriation and resettlement of refugees. To do so required concerted efforts by countries of origin, countries of asylum, donor countries and countries of resettlement. It also required coordinated action by the competent international agencies and the provision of additional human and financial resources. The growing number of instances in which refugees fled their country after having been repatriated indicated that, in addition to providing humanitarian assistance and seeking a solution, the international community and UNHCR should endeavour to combine their assistance to refugees with efforts to promote the economic development of the developing countries so as to furnish an effective and durable solution to the problem. In recent years, UNHCR had made a number of successful attempts to solve the refugee problem by proposing a comprehensive approach. China believed that it would be possible effectively to implement that idea only if the countries concerned and the competent international organizations combined their efforts. UNHCR, for its part, should always strictly abide by its mandate and give priority to protection and assistance.

23. China regarded voluntary repatriation as the most appropriate solution to the refugee problem, as had been confirmed in practice over many years. By accepting and protecting 280,000 Indo-Chinese refugees on its territory, the Government of China had made enormous contributions in terms of human and financial resources. In order rapidly to eliminate a problem that had persisted for 17 years and to meet refugee expectations, with the participation of UNHCR, and thanks to successful cooperation between China and the Lao People's Democratic Republic, some 3,000 Lao refugees had been repatriated in recent years. With the conclusion of the Comprehensive Plan of Action (CPA) in South-East Asia and the resulting solution to the problem of Vietnamese refugees in South-East Asia, the repatriation of the Vietnamese refugees in China had become a matter of urgency. China had noted with satisfaction the positive attitude of the country concerned, which had accepted the returning refugees, and China was willing to cooperate with that country and with the competent international organizations to ensure the rapid and voluntary repatriation of the Vietnamese refugees from China. The Government of China would, in a spirit of humanitarianism, continue to provide assistance to those who chose to prolong their temporary stay in China. As for those who wished to return to their country of origin in safety and dignity, the international community and UNHCR should remain seized of the situation and offer them their assistance.

24. The repatriation of the Vietnamese boat people from Hong Kong had been proceeding smoothly for several months, although little headway had so far been made in reviwing the situation of more than 7,000 of them. The question was of great concern to the Government of China, which believed that a solution to the issue of the Vietnamese boat people was a top priority task

which should be completed before 30 June 1997. As CPA had been concluded in other Asian countries, China looked forward to the active cooperation of all the parties concerned to speed up the repatriation process.

25. The Government of China paid tribute to the numerous humanitarian workers who had toiled and even sacrificed their lives for UNHCR's noble cause. For its part, it wished further to strengthen its cooperation with UNHCR and with other countries in the common search for a solution to the refugee problem.

26. Mr. MESSAOUI (Algeria) said that Algeria, whose commitment to the humanitarian cause dated back to its independence, appreciated the true worth of the efforts being made by UNHCR to adapt its action and response capacity to the serious situations within its sphere of competence. Moreover, Algeria had always believed that any effort to put an end to the suffering of refugees and displaced persons should be directed towards strengthening international protection on the basis of the principles embodied in the Charter of the United Nations and the covenants and conventions to which the international community had subscribed. In that regard, the development of the new strategy aimed at durable solutions and prevention should enjoy the broadest possible support of the international community and form part of a partnership with all relevant United Nations agencies.

27. In her statement to the Standing Committee on 30 January 1996, the High Commissioner had rightly expressed her concern that a number of restrictive national policies were increasingly taking precedence over humanitarian considerations and hampering the implementation of UNHCR's global missions. It was precisely because the virtues of mutual assistance were becoming hazy and the very concept of asylum was being reappraised that support was needed for the efforts of those countries which, despite persistant economic adversity, continued to discharge their responsibilities and to grant asylum and assistance to persons seeking refuge. It was for those reasons that Algeria, which took pride in its traditions of openness and hospitality, assumed its share of the responsibility by opening its doors to Saharan refugees and other displaced persons from Mali and Niger. Algeria's action was a valuable supplement to UNHCR's obligations in respect of the Saharan refugees, and it was well to recall that the United Nations, which had assumed a commitment to a territory covered by General Assembly resolution 1514 (XV), would meet the urgent humanitarian needs of the population until such time as the reasons for their exile had disappeared and the Saharan people were able to exercise their legitimate rights to self-determination and independence. The Government of Algeria appreciated the assistance provided by UNHCR to the most vulnerable of the Saharan refugees and hoped that such assistance would be increased in order more precisely to satisfy their manifold needs.

28. As for the displaced persons from Mali and Niger, Algeria welcomed recent positive developments in the region and would spare no effort to ensure that their voluntary repatriation was carried out successfully. Algeria was gratified by the exemplary cooperation that existed with UNHCR and the International Fund for Agricultural Development (IFAD) with a view to finding

durable solutions to the problems faced by those persons. Those links must be further strengthened so as to make the assistance provided to them even more beneficial and systematic.

29. Mr. YIMER (Ethiopia) said that, of the three major traditional solutions to the problem of ending the plight of refugees - voluntary repatriation, local settlement and third country resettlement - Ethiopia had always preferred voluntary repatriation and the subsequent reintegration of refugees into their places of origin. It was therefore deeply satisfying to note that five years of continued peace and stability in Ethiopia had enabled over 1 million Ethiopian refugees to return home in safety and dignity, thanks to the assistance of UNHCR. The few thousand Ethiopian refugees still in neighbouring countries were demanding repatriation, and the repatriation operation was scheduled to resume in Sudan in November 1996. Although the prospects were brighter than before, reintegration and rehabilitation assistance was almost non-existent, and the basic socio-economic infrastructure had to be improved in order to sustain the additional burden of accommodating huge influxes of refugees. Repatriation should be linked to reintegration and reconstruction, and in that connection Ethiopia was pleased to announce that a general strategy paper for the reintegration of Ethiopian refugees returning from abroad, formulated by UNHCR, had been presented to donors by the Government of Ethiopia and UNHCR. The response from the donor community had been most encouraging and projects were being formulated on the basis of the actual needs of the returnees and of the local communities receiving them.

30. The Government of Ethiopia did not restrict its action to the repatriation of refugees; it was also engaged in promoting durable solutions to the problem of refugees hosted on its territory. Ethiopia reaffirmed its willingness to facilitate the repatriation of refugees from neighbouring countries as soon as the situation in their countries of origin permitted them to return to their homeland in safety and dignity. Preparations for the repatriation of the Somali refugees to north-west Somalia were at an advanced stage. Refugee representatives had been authorized to cross the frontier to assess for themselves the situation in the potential resettlement zones. A steering committee comprising regional government authorities, representatives of UNHCR and government technical staff had also been persuading the refugees of the benefits of voluntary repatriation. It was to be hoped that the first phase of a pilot repatriation operation would be able to begin in the near future. The Government of Ethiopia was promoting the operation despite the absence in north-west Somalia of an authority with which it would have signed a tripartite agreement; the provisions of the repatriation operation had been stipulated by UNHCR. His Government was prepared to sign a memorandum of understanding with UNHCR to commence the operation as soon as possible. In conformity with UNHCR's strategy, with its strong emphasis on voluntary repatriation, the pilot operation would emphasize the repatriation of the bulk of the refugees to their homeland and alleviate the burden on Ethiopia and the international community as a whole. However, it could only be realized if the refugees were provided with international protection during their return and reintegration to ensure they did not again leave.

31. As part of the search for durable solutions, preliminary talks had also been held with the Djibouti authorities about the possibility of repatriating

Ethiopia's refugees to their home areas. Accordingly most of the refugees wished to maintain home at that occasion. For its part the Government of Ethiopia was fully at liberty of their repatriation and hoped that UNHCR would assist it in organizing a repatriation operation as soon as possible. It appeared that the annual withdrawal of Eastern refugees was also willing to return home and the Government of Ethiopia hoped that UNHCR would help it to organize a repatriation operation.

22. Despite intense activities by governments, refugees in Ethiopia continued to multiply as a result of the alarming conditions and lack of stability in the neighbouring countries. Ethiopia continued to host over 370,000 Somali refugees whose situation remained intolerable. In view of the complexity of the problems Ethiopia fully supported UNHCR's adoption of comprehensive approaches which should be inclusive and address the root causes such as human rights violations, political and social conditions and economic upheavals. In the case of the Somali refugees a degree of donor fatigue had been apparent for some months leading to cuts in funding and a reduction of food rations. While it was possible to understand the frustration and concern of the international community with the situation of the Somali refugees, which had grown out of its long and fruitless attempts at a solution, it was impossible to accept the use of coercive measures such as holding up food aid and reducing vital social services. Ethiopia believed that the number of refugees in the camps was underestimated and was prepared to cooperate with donors in developing a transparently effective mechanism for determining the refugee population and arriving at a mutually acceptable figure.

23. There were currently more than 70,000 Sudanese refugees in Ethiopia in three camps in the western part of the country. Their plight was virtually the same as that of the Somali refugees. Although the Government continued to share the meagre resources available with them, it had provided them with land that enabled them to engage in agricultural activities to achieve a degree of food sufficiency. However, their presence had caused large-scale deforestation and environmental degradation and Ethiopia needed assistance to restore the balance.

24. His Government's policy and its record regarding refugees were clear. It continued to pursue an open-door policy and to grant asylum and protection to all genuine victims of persecution who sought refuge on its territory. Nevertheless, it emphasized that refugee problems worldwide, and those in the Horn of Africa in particular, would find a lasting solution only if they were addressed from a regional perspective. For that reason, the Government of Ethiopia was fully committed to strengthening and revitalizing regional organs such as the Inter-Governmental Authority on Drought and Development (IGADD) which it believed capable of assisting the region's economic, social and political problems. He appreciated the efforts made by the IGADD member countries and UNHCR to combat the problems and conditions that threatened to destabilize the Horn of Africa. The international community and the appropriate United Nations bodies were duty-bound to strengthen the capacity of those regional institutions to resolve conditions effectively, to prevent them, or at least to mitigate their impact and to map out strategies that would lead to lasting solutions to the refugee crisis. UNHCR had a valuable role to play in promoting preventive actions at the international, regional and sub-regional levels.

35. Refugees had an enormous impact on Ethiopia's environment. The gathering of wood for heating and for the construction of shelters resulted in irreversible damage to vegetation, speeding up the process of desertification around the camps, and water resources had been over-exploited, jeopardizing the future of local communities. Ethiopia hoped that UNHCR would draw the attention of the international community to the situation and that donors would make a modest contribution towards restoring the ecological equilibrium in the regions affected. Ethiopia thanked UNHCR, donor Governments, intergovernmental and non-governmental organizations for the assistance they had so far provided in Ethiopia and hoped that they would further increase their assistance.

36. Mr. MOHAMMED (Nigeria) said that the solutions available to the refugee problem (repatriation, integration and resettlement in a third country) had not solved all aspects of the refugee crisis. For that reason, Nigeria was unconvinced that in Africa, which alone hosted 5.7 million out of the world's 13.2 million refugees, the solution of resettling a few thousand was fully satisfactory. Hence the need for a holistic and proactive approach to the quest for durable solutions to the refugee crises.

37. The pursuit and implementation of durable solutions required States parties to the 1951 Convention, the 1967 Protocol and other instruments, especially regional ones such as the OAU Convention on Refugees, to fulfil their obligations. Nigeria was concerned about the unilateral interpretation of protocols derogating from the rights of asylum seekers, and considered that States should adopt a universally acceptable definition of the notion of non-refoulement which was in conformity with international law.

38. Nigeria was aware of the economic and social consequences of hosting refugees. Despite their fragile economies and weak resource base, many African countries were hosting millions of refugees and deserved assistance in order to cope with their refugee burden. Despite its economic difficulties, Nigeria too, continued to practice an open-door asylum policy. When Liberian asylum seekers had arrived by sea in Nigeria, the Government had not merely welcomed them, but had approved a contingency fund equivalent to US$ 1 million to provide shelter for them and logistical support for UNHCR. In 1995 Nigeria had resumed contributing to UNHCR programmes in the amount of US$ 50,000, and would do the same in 1996.

39. Since the existence of refugees and displaced persons was symptomatic of a profound social and political problem, any durable solution should address the root causes of the crises responsible for it. Nigeria was participating in the action taken, at its initiative, by the Economic Community of West African States (ECOWAS) to end the long-running war in Liberia, whose root cause was an unbridled struggle for power. In that spirit the Nigerian Head of State and current Chairman of ECOWAS had hosted a meeting in August 1996, whose purpose had been to ensure the implementation of the Abuja Peace Accord of 1995, providing for a range of measures prior to the organization of free and fair elections. It was time for the United Nations and the international community to provide the political and material assistance necessary to ensure that the ceasefire and the Accord were respected without delay and that

Liberia and the subregion could finally enjoy peace. The restoration of peace in Liberia would enable refugees and displaced persons to return to their coun

40. As it was vital to prevent conflicts by identifying possible root causes, particularly in Africa, Nigeria appreciated the recent memorandum of understanding reached in southern Africa. That approach should be explored in other subregions so as to prevent conflicts and enable African regional organizations better to cope with refugee problems.

41. Notwithstanding the reputation it had already acquired for efficiency, UNHCR had adopted a series of administrative measures to increase its efficiency even further and to reduce costs (Project Delphi). In order to ensure the success of the project, UNHCR would need to examine a number of issues which might sooner or later arise. The first was whether there were any mechanisms for coordinating activities in Africa, which consisted of several subregions. The second was what measures had been taken to protect staff, especially locally recruited staff, since operations were moving from headquarters to the field. Consideration should also be given to the question of fair representation of African staff at headquarters, as well as to the need to establish a forum at which members of the Executive Committee could be briefed periodically on the progress of restructuring. Finally, Nigeria was concerned about the low level of representation of women in the top echelons of UNHCR, but was confident that Mrs. Ogata would turn her attention to that problem.

42. Mr. ZOUKHOUROV (Observer for Tajikistan) said that the implementation of the Programme of Action adopted at the end of the Regional Conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States had become one of the priorities of the foreign policy of the Government of Tajikistan. A regional seminar on migratory processes, attended by representatives of the Central Asian Republics and of international organizations, had been organized in Bishkek to draw up actual projects to implement the Programme. The repatriation of refugees and the return home of internally displaced persons within the Republic of Tajikistan were continuing with the assistance of the international organizations. Their assistance had made it possible not only to organize the rapid return home of most of the refugees and displaced persons, but also considerably to stabilize the political situation in Tajikistan. Nevertheless, the process of return was giving rise to new difficulties with regard to the resettlement and reintegration of returnees into political and social life. Moreover, not all refugees had yet returned. There were still more than 180,000 Tajiks in CIS countries, almost 15,000 refugees had not yet returned from Afghanistan, and more than 5,000 were living temporarily in the Gorny Badakshan Autonomous Region. In the Garm group of districts, in eastern Tajikistan, the social rehabilitation programme for refugees and displaced persons had hardly begun. Tajikistan realized that it could count only on itself to solve all those problems.

43. Nevertheless, despite the various measures taken to put an end to the crisis and improve the economic situation, Tajikistan was facing difficulties of such magnitude that it was unable to do without the assistance of the international community. In his view, priority should be given to speeding up

the repatriation of the refugees in Russia and other CIS countries. The first problem concerned their transport by rail and air. Subsequently, the 20,000 dwellings destroyed in the locality of Khalton in the Garm group of districts, which had suffered most from the civil war, would have to be rebuilt as quickly as possible. Lastly, it was vital to provide the refugees and displaced persons with basic necessities, medicine and clothing.

44. His delegation supported the idea of launching, within the framework of the United Nations, an inter-agency appeal for emergency assistance to Tajikistan in 1996. On the basis of the joint statement issued by the Tajik delegation and the Tajik opposition at the conclusion of the fourth and fifth rounds of inter-Tajik talks, his delegation urged the Department of Humanitarian Affairs, UNHCR, OSCE and IOM and the representatives of the donor countries to provide additional financial and material support to solve the problems posed by the refugees and internally displaced persons. Tajikistan stood in urgent need of assistance, especially from UNHCR, which alone was capable of providing it with real and effective support. He added that the number of Tajik refugees still to be repatriated had considerably increased. Following the first round of inter-Tajik talks, a joint commission had been established under the chairmanship of UNHCR's heads of mission in Tajikistan and in Russia to deal with the repatriation of the refugees currently in the CIS countries. Unfortunately, the resumption of hostilities in the Pamir region had increased the number of internally displaced persons. More than 20,000 displaced persons from the Garm group of districts had been registered in the previous three months. Tens of thousands of persons were once again suffering and huge numbers of displaced persons, who once again had to live in public buildings or in school dormitories, had again appeared in the town of Dushanbe, in Kafiraikhon and in other districts.

45. His country's leaders had taken steps to resolve the military conflict and had signed a cease-fire agreement with the local commanders operating in the Garm group of districts. A meeting between the President of the Republic, E. Rakhmonov and the leader of the United Tajik opposition, Abdullo Nuri, was being prepared. However, UNHCR had considerably reduced the scale of its activities in Tajikistan and had recalled, and in some cases reduced, its field staff in the most difficult regions, thereby somewhat tarnishing its achievements in Tajikistan. For example, the joint commission set up at Termez and Khairaton to implement the agreement on the repatriation of Tajik refugees from Afghanistan, reached by the Government of Afghanistan, the Government of Tajikistan, the Government of Uzbekistan and HCR had become virtually inoperative. As a result, the return of the refugees from Afghanistan had almost come to a halt. That development was of considerable importance in the light of recent events in Afghanistan, since the Tajik refugees on Afghan territory were unable to return home. Moreover, there were numerous Afghans in Tajikistan who were themselves refugees. To crown it all, Tajikistan was frequently a transit country for Afghans seeking refuge in other States.

46. Unfortunately, neither the financial policy adopted by UNHCR and international non-governmental organizations such as the United States Save the Children Federation, nor the programmes for the supply of building materials, launched by the United Nations to rebuild the houses destroyed and

to develop small enterprises, had proved particularly effective. For that reason the Government of Tajikistan reiterated its request that thought shoul once again be given to UNHCR's reverting to its original mandate.

47. Mr. ANWAR HASHIM (Bangladesh) said that, as was stressed in the documentation on the annual theme, the two aspects of the High Commissioner's mandate, namely, international protection and permanent solutions, were clearly interlinked. The ultimate aim of international protection was to develop durable solutions.

48. Voluntary return was the most widely supported solution. If return was to be durable, it had to be linked to reintegration, and that required the creation of conditions conducive to a lasting and safe return. A preventive strategy could also be a crucial element in the pursuit of durable solutions. There was a greater awareness of the link between the promotion of good governance, the rule of law and durable development on the one hand, and the prevention of refugee flows and population displacements on the other. For that reason, the need to support national legal, judicial and administrative capacity-building was recognized. The ethnic conflicts and violence which ha recently caused massive population displacements underscored the importance o restoring peace and security in the context of durable solutions.

49. There was also a need for greater cooperation among Governments, in conjunction with pooling of the expertise of the humanitarian and development organizations, in order to support rehabilitation, reintegration and reconstruction to underpin the sustainable rehabilitation of the regions concerned. It was generally recognized that, without effective preventive action, problems of population displacements would continue to grow. Durable solutions to the complex emergencies which caused refugee flows required efforts in many spheres - prevention, protection and solutions - both by the countries of origin and the countries of asylum.

50. The recent initiative concerning the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the CIS countries had led to the adoption, in May 1996, of a programme of action to deal with the impact of past, current and future displacements. It was also important to bear in mind that regional peculiarities perhaps required strategies that were, to some extent, specifically regional. The CIS Conference and its preparatory process provided interesting pointers of relevance to the annual theme chosen.

51. First of all, the Conference had resulted in the pooling of resources, thus setting a precedent for collective planning to deal with large-scale humanitarian problems. Secondly, efforts had been made to define the various categories of people involved and, where necessary, to devise working definitions of new concepts such as persons in refugee-like situations, repatriants, involuntarily relocating persons, formerly deported peoples and "ecological migrants", which would sooner or later have to be incorporated into the protection regime. Thirdly, although the Conference had, for obviou reasons, broached the issue of refugees as a problem, it was perhaps advisabl to bear in mind the views expressed by the Director-General of IOM on the

issue of voluntary migration, according to which many of the movements inside CIS had been spontaneous and, rather than disrupting the social and economic development of host regions, had contributed to it.

52. Bangladesh welcomed UNHCR's participation in the work of the Inter-agency Standing Committee and urged it to examine, as a matter of priority, ways of improving the Committee's functioning and to analyse different models of coordination to ensure a coherent response to complex emergencies.

53. It was important not to lose sight of the cardinal principle of non-refoulement in the context of international protection, or of the need to reinforce international solidarity and burden-sharing. It was true that, by and large, refugees were from the developing countries, but it was also a fact that those providing asylum to large case-loads were also developing countries. In 1971, during Bangladesh's war of liberation, India had offered asylum to as many as 10 million Bengali refugees. For its part, Bangladesh had hosted two waves of Myanmar refugees within the span of a dozen years. Those examples attested to the fact that countries in general respected the principle of non-refoulement when faced with refugee flows, regardless whether they had acceded to instruments concerning refugees.

54. It was perhaps necessary to evaluate, and indeed quantify, the economic and social impact of the presence of refugees on asylum countries, particularly the developing countries which currently carried the bulk of the refugee case-load. That invisible contribution by the asylum countries should be set on an equal footing with voluntary contributions to the programme budgets. For that reason, Bangladesh would like the Standing Committee to consider the issue in 1997 and urged participants in the Executive Committee's current session to take the necessary decision.

55. Mr. KAMANDA WA KAMANDA (Zaire) was gratified that the theme selected for the Executive Committee's forty-seventh session was the pursuit and implementation of durable solutions, since the situation in the Great Lakes region and in eastern Zaire was deeply disturbing. At the forty-sixth session of the Executive Committee, Zaire had drawn attention to the precarious situation in Burundi; however, failure to provide an urgent solution to the problems had allowed them to assume their present proportions. It was to be hoped that the present situation along the border between Zaire, Rwanda, Burundi and Uganda would not be allowed to develop along the same lines. In those areas intensive preparations were being made for imminent conflicts in the coming days and weeks. Such preparations involved military operations by the Tutsi in the Great Lakes region with a view to realizing their dream of establishing the Hima empire in the region by the military, political and social subjugation of the peoples living there.

56. In 1963, when the countries of Africa had embodied the principle of the inviolability of the frontiers inherited from the colonial period in the Charter of the Organization of African Unity, they had at the same time set as their objective the unity of Africa and its development on the basis of solidarity. No one had the right to make its neighbours or others suffer for its real or imaginary difficulties, or for its incapacity to administer its national territory. States could nevertheless request the assistance of other

countries and Zaire was always prepared to contribute to the search for solutions that restored peace, understanding and stability in Africa in general and in the Great Lakes region in particular.

57. In July 1994 almost 2.5 million refugees had entered the North and South Kivu regions. Strangely enough, it was Zaire that had borne the brunt of the accusations made, in particular of allegations concerning training of the former Rwandan Armed Forces (RAF), of arms dealing in the region and of support for certain armed groups in Burundi.

58. In her preliminary statement on the situation in the Great Lakes region, the High Commissioner had rightly said that the response to the appeals made by UNDP and UNHCR to make good the damage suffered by the environment and the population of eastern Zaire had been negligible; that it was insufficient to establish military peace in societies torn apart by civil wars; that the establishment of civilian peace required a minimum consensus on the future organization of society; that the link between refugee problems and peace and security was perhaps nowhere more evident than in the Great Lakes region; that UNHCR had never seen its humanitarian concerns become bogged down in such a quagmire of political and security interests; that its humanitarian assistance also benefited the militants who had an interest in preserving the status quo; and that the establishment of peace required just and humanitarian solutions for those who had been deliberately driven out to establish ethnic hegemony or to take control of a territory.

59. It was because those truths had deliberately been concealed and because Zaire's positions - which had been expressed on countless occasions - had apparently failed to evoke a reaction among individuals, countries and agencies, which undoubtedly had their reasons for preferring misinformation to objective information, that no solution had so far been found; that the victims of the mass exodus of Rwandan and Burundi refugees had become the accused and that the Security Council had adopted three resolutions damning Zaire rather than Rwanda or Burundi, where the mechanisms that regularly produced refugees were to be found. Thus, although the embargo on arms supplies to Rwanda had been lifted, it was planned to send to Zaire, which had offered the refugees its hospitality, an international commission to investigate allegations concerning the training of former members of the Rwandan Armed Forces and the arms trade, as well as an observer mission to its frontiers with its neighbours - which, for their part, had refused both the international commission of investigation and the deployment of observers.

60. Moreover, the fact that the Republic of Zaire had notified the highest echelons of the United Nations, of UNHCR and of OAU of its justified and categorical refusal to accept the plan to create a "Hutuland" on its territory had not prevented some of its bilateral and multilateral partners from continuing to support the plan behind the scenes. It was deplorable that the Security Council should take decisions before having even verified facts or information, solely on the grounds that they came from Rwanda, and such one-way vigilance was beginning to try the patience of host countries. Meanwhile, since August 1996, another plan to destabilize the North and South Kivu regions had been taking shape on Zaire's borders with Rwanda, Burundi and Uganda: the plan constituted a vast plot, in view of the web of complicity that was apparent in the equivocal behaviour of certain agents

working for NGOs and humanitarian organizations. As the Executive Committee was well aware, since 31 August regular attacks had been launched against Zairian territory from neighbouring countries by armed units known as "Banyamulenge", and in September 1996 the Zairian town of Bukavu had been attacked from Rwanda by the Rwandan Patriotic Army. The Government of Zaire hoped that everything would be done to put an end to such acts.

61. He condemned certain forms of conduct that were contrary to the objectives of international refugee protection and drew attention to the international laxity and complicity that had benefited Rwanda - which had consistently avoided carrying out its international obligations in good faith - and at the same time compelled Zaire to bear the burden of the refugees to whom it had offered hospitality. There was also a real danger of humanitarian principles being manipulated for political ends. For example, application of the principle of voluntary repatriation, which implied the existence of conditions of safety and dignity allowing refugees to return to their country of origin, could be circumvented by States which, because they opposed the return of refugees, would never create suitable conditions for repatriation. There was a growing determination to have refugees settle permanently outside the borders of their country of origin and to transform them into exiles for ethnic or political reasons, without any reaction on the part of the United Nations which was intimidated by powerful interests attempting to use it to promote their expansion in the world.

62. The principle of consolidating and transferring camps should be assessed on the basis of the actual situation on the spot. For example, it was absurd to suggest transferring Hutu camps from South Kivu to the high plateaux, where the refugees might find themselves in conflict with the Banyamulenge of Tutsi origin.

63. He also condemned the ambiguity that characterized the application of humanitarian principles to the situation of refugees in the Great Lakes region, where the problem was essentially political. In that region a group of men and women of the Hutu ethnic group had been driven from their country by members of another ethnic group, the Tutsis, who had seized power and categorically opposed the return of the refugees to Rwanda. How did UNHCR, the United Nations and the international community intend to deal with that serious problem effectively without condoning ethnic cleansing? As long as the political aspects of the problem were concealed, international bodies would find no suitable and durable solution to the thorny issue of the Rwandan refugees. None of the measures taken so long ago (the gradual closure or consolidation of the camps, the increase in the size of the Zairian contingent responsible for security in the camps, the neutralization of intimidators and of the former Rwandan Armed Forces, the deployment of observers or information campaigns) would have any positive impact on repatriation without sustained attention to the search for political solutions. For that reason, the totalitarian drift of a regime supported by a mono-ethnic army, the use of intimidation through the maintenance of a climate of insecurity and of widespread human rights violations in order to settle the refugees permanently in the host country, the confiscation of the chattels and unlawful occupation of the property of refugees and persons in exile to justify the difficulties of repatriation were excesses to which the international community should turn its attention as it resolutely committed itself to the pursuit and implementation of durable solutions.

64. The proposed solutions and measures to be implemented must therefore be reviewed in the light of the diagnosis made by the High Commissioner in her preliminary statement. The courage must also be found to tackle the problem from another angle, without the pusillanimity, timidity and laxity characteristic of the approaches so far attempted by the international community. In Zaire's view, any durable solution to the problem of the Rwandan refugees should imperatively incorporate punishment for the perpetrators of crimes against humanity and murderers, the release of persons imprisoned without trial and an end to arbitrary arrests, the confiscation of property, the unlawful occupation of the property of persons in exile and to the campaign orchestrated by the media and other official circles propagating ethnic hatred, the desire for vengeance and incrimination on ethnic grounds. Those confidence-building measures would be really effective only if implemented through democratic institutions sanctioned by free elections. Efforts should also be made to associate the refugees themselves with the search for solutions to their problems and with decisions affecting their future. Above all, a change in attitude was required to see things differently, so as to create conditions conducive to durable solutions. The solutions that had been advocated to the problem of the Rwandan refugees were applicable, mutatis mutandis, to the problem of the Burundian refugees, who were increasingly numerous in Zaire and to whom the Government of Zaire had drawn the attention of the international community in May 1996.

65. In addition, care must be taken to prevent certain NGOs and humanitarian organizations from being used fo further the interests of certain Powers. The on-the-spot experience of the Zairian authorities - in the Great Lakes region - had shown that, without scrupulous official guidance and selection, in consultation with the Government of the host countries, NGOs and humanitarian organizations, which were UNHCR's operational partners, could be used as vehicles for interests over which neither UNHCR nor the United Nations system nor yet the host countries had any real control and which jeopardized the interests of the host country. For example, when UNHCR had begun gradually to close down the camps in the North and South Kivu regions, in conformity with the repatriation agreements, NGOs and UNHCR's partner organizations had entered the camps to conduct campaigns contrary to the objectives pursued, in particular by encouraging refugees not to agree to return home and to refuse to participate in the census conducted by UNHCR. The question of providing adequate guarantees for the interests of the host countries must therefoe be examined in connection with that of strengthening the capacity of local NGOs.

66. In conclusion, he expressed the deep frustration of his country's peoples, who were experiencing the adverse effects of the large-scale, unprecedented and prolonged presence of refugees on their territory. Zaire reiterated its appeal for the rapid convening of a round table of Zaire's donors, and urged the High Commissioner personally to take the initiative in the matter. The Government of Zaire would continue to participate effectively in international cooperation, while making sure that the humanitarian programmes undertaken with its agreement no longer jeopardized, either directly or indirectly, its vital interests.

The meeting rose at 1.05 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.510
15 October 1996

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-seventh session

SUMMARY RECORD OF THE 510th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 8 October 1996, at 3 p.m.

Chairman: Mr. SKOGMO (Norway)

CONTENTS

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.96-02968 (E)

In the absence of Mr. Mchumo (United Republic of Tanzania), Mr. Skogmo (Norway), Vice-Chairman, took the Chair.

The meeting was called to order at 3.20 p.m.

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (agenda item 4) (continued) (A/AC.96/863, 867 and 872)

1. Mr. NARAY (Hungary) said that the international community had had to cope with additional waves of refugees in the past year, but the huge number of victims of previous conflicts had not been offered durable solutions. As the leading agency to coordinate international humanitarian and refugee assistance, UNHCR had succeeded in fulfilling its tasks with remarkable efficiency. Hungary welcomed UNHCR reforms to improve efficiency, transparency and accountability, and greatly appreciated Project Delphi and the Action Plan prepared by the Change Management Group.

2. His country continued to give shelter to thousands of people fleeing war, ethnic cleansing, persecution and intimidation. It was firmly committed to international cooperation for the protection of refugees and was aware of the increased importance of prevention, early warning and assistance-capacity building. Hungary had a long tradition of providing shelter for persecuted people of different origins. In the late 1980s, when many thousands of refugees from Romania had applied for assistance, and in the early 1990s, when it had received several waves of refugees from the former Yugoslavia, the Government and Hungarian society had succeeded in finding the best possible solutions in a strained economic situation. With the help of UNHCR, an effective institutional framework of assistance had been established, offering safe accommodation for more than 140,000 persons, including 75,000 temporarily protected people from the former Yugoslavia. Six thousand of the latter still enjoyed temporary protection in Hungary.

3. After five years of conflict in the territory of the former Yugoslavia, there appeared to be a real possibility for a lasting peace. The settlement of refugees should avoid endangering the survival of any ethnic community and ensure respect for human rights and fundamental freedoms for all citizens, including minorities. Further efforts were needed to rebuild infrastructures and establish and strengthen democratic institutions in the post-election period.

4. Voluntary repatriation was still the preferred solution, but when it was not feasible local settlement of refugees in the asylum country might be considered, even on a temporary basis. In such cases asylum countries stood in need of international solidarity and burden-sharing. Hungary was closely cooperating in the safe and secure return of refugees to their places of origin. UNHCR and IOM had been providing significant assistance to the Hungarian authorities in organizing the return of refugees from the former Yugoslavia or in their resettlement in third countries, primarily Canada, the United States of America and Australia. The Canadian programme was under way and the Government of the United States had indicated its readiness to resettle more refugees. Since the previous autumn, more

than 1,200 refugees from the former Yugoslavia, mainly Bosnians, had been resettled from Hungary to third countries, and approximately 1,000 persons had returned home voluntarily.

5. In 1997, the Government would be allocating financial resources for the care and maintenance of refugees living in collective centres and assistance for those privately accommodated. UNHCR's financial contribution in 1996 had served principally to complement the weekly allowance distributed through local communities to privately accommodated refugees. UNHCR had also offered grants to refugees wanting to set up their own small businesses, but the project had had limited success owing to a lack of real interest among the refugees. UNHCR and the Hungarian authorities were seeking new ways to keep up the refugees' motivation to become self-sufficient. At the same time, his country had proposed that the partly unused UNHCR funds should be channelled to the care and maintenance of refugees living in collective centres.

6. Hungary was also interested in speeding up the full integration of persons who had been granted refugee status, who were offered rights equal to those of Hungarian nationals. Hungary, the first country in its region to accede, in 1989, to the 1951 Geneva Convention, was committed to lifting the geographical limitation which excluded non-Europeans from submitting applications for refugee status to the Hungarian authorities, and such an arrangement had been made in a recently-prepared refugee bill. Implementation of the new comprehensive refugee law would be in keeping with European standards and require the continued presence of UNHCR officials and experts in Hungary.

7. October 1996 marked the fortieth anniversary of the October 1956 revolution in Hungary, the suppression of which had led to a major refugee crisis in Europe. On that anniversary, he wished to pay tribute to UNHCR and other international organizations, private individuals and countries for their assistance to 200,000 Hungarian refugees. Since 1956, Hungary had required no explanations of why the international community needed UNHCR and why citizens had to be alive to the fate of refugees.

8. Ms. AROCHA (Venezuela) welcomed the reference in paragraph 3 of document A/AC.96/872 to the link between international protection and the search for durable solutions. On that point, her Government agreed that international protection should continue to be one of UNHCR's basic functions, as stated in its 1950 Statute.

9. While she commended UNHCR for its work in Central America through CIREFCA, in regard to voluntary repatriation she would draw attention to the observation in paragraph 11 of document A/AC.96/872 that voluntary repatriation was not always a feasible solution and that long-term situations were better served by other solutions such as local integration and resettlement. Case-by-case and regional studies were required to determine the best solution for the refugees, and the recent local integration agreement concluded between the Governments of Mexico and Guatemala was a promising example.

10. The key to all work for refugees was voluntary repatriation accompanied by protection of refugees, when minimally favourable conditions for return to

countries of origin were met. Clearly, it must be linked with reintegration, reconciliation and reconstruction efforts. She agreed about the circumstances that had reduced the scope for local integration initiatives, which included declining overseas development aid and limited resources for refugee aid and development, and about the need for the international community to develop viable assistance strategies. Her delegation also supported UNHCR's efforts to strengthen its training and institution-building activities throughout the world.

11. Despite progress in the pursuit of solutions, serious refugee problems such as that occurring in the Great Lakes region of Africa had not been resolved. As document A/AC.96/871 stated, that might be due to the lack of a comprehensive approach to resolving refugee problems, an approach that would include both countries of origin, countries of asylum and the regional and global international community.

12. Her Government appreciated the expansion of the UNHCR office in Caracas, which was fitting recognition of Venezuela's provision, throughout its life as a Republic, of refuge, asylum and protection to tens of thousands of human beings of the most diverse origins.

13. Mr. [illegible] (United Republic of Tanzania) said that there was a relatively stable political situation in Rwanda, but the situation in Burundi was still potentially volatile. As the traditional country of asylum for refugees from both countries, Tanzania was faced with a planning dilemma while it prepared for the repatriation of Rwandan refugees on the northern side. Burundian refugees continued to enter on the southern side of the same border.

14. Although Tanzania had learned to cope with refugees since her birth as a nation in 1961, the current massive incursions had caused tremendous destruction to the surrounding environment, increased the insecurity of the Tanzanian people and been a political as well as social burden on the Government. He appreciated the efforts made by UNHCR and other international agencies, but much remained to be done to alleviate the refugees' suffering and ease the burden on their hosts.

15. His Government was extremely disappointed that, despite improvements in the situation, refugees had not been returning to Rwanda. That was primarily a result of massive intimidation in the camps, and the status quo could not be allowed to continue. As part of its efforts to reach a durable solution, his Government had established an "intimidators camp", in order to separate intimidators from genuine refugees and allow repatriation to proceed smoothly. Any intimidators involved in the planning and execution of the genocide, if identified, would be handed over to the International Tribunal on Rwanda, while the rest would have their refugee status withdrawn and be handed over to the Rwandan Government. It would not be an easy task, especially as the intimidators included soldiers of the former Rwandan Army and possessed weapons.

16. Present international norms and principles regulating refugee matters placed heavy responsibilities on countries of asylum, yet remained virtually

silent on the role and responsibilities of the countries of origin. Existing practice must be reviewed in order to oblige refugee-producing countries themselves to address the root causes of refugee flows. Refugees, too, must be made aware of the need to respect the laws and regulations of the countries of asylum and to maintain cordial relations with local populations.

17. The crisis in Burundi had continued to deteriorate and threatened to engulf the entire region in a new cycle of violence creating a fresh wave of refugees. To forestall that eventuality, and as part of the pursuit of durable solutions, his Government had taken an active role in bringing the parties to the conflict to the negotiating table, under the mediation of former President Julius Nyerere, in conjunction with the Organization of African Unity and other interested parties. Unfortunately, the military coup of 25 July 1996 had undermined efforts to promote dialogue and restore peace and had necessitated the imposition of economic sanctions on Burundi. In addition, the perpetrators of gross violations of human rights continued to enjoy impunity. The time had come for the international community to begin to seek ways to bring those criminals to justice, to end impunity and seek durable solutions along the model of the International Tribunal on Rwanda. He hoped that the sanctions would secure the compliance of the military rulers and enable the leaders of Burundi to eschew violence as a means of arriving at durable solutions to the cause of the exodus of refugees.

18. He wished to express his appreciation to UNHCR, European Union member countries, the Government of Japan and the United States Government, which had provided moral support to Tanzania in dealing with its refugee problems. Lastly, his Government was not considering granting permanent residence or offering resettlement to refugees. It would continue to accept genuine asylum seekers, but expected them to go home when conditions in the country of origin returned to normal.

19. Mr. MOHAFA (Lesotho) reaffirmed Lesotho's support for UNHCR's endeavours. Efforts to promote the number of female staff in senior management positions, in particular, were a positive step to address the plight of refugee women and children.

20. Lesotho would always stand ready to receive all bona fide fugitives from the scourge of political persecution and harassment in their countries of origin. While the world was experiencing a welcome recognition of democratic rule, it would be naïve to underestimate the enemies of peace and violators of human rights. On the African continent, the events in Rwanda had been the most disturbing, and he deplored the senseless killings and the human suffering. Hopefully, the special UNHCR emergency programmes in support of Rwandan refugees would one day bring peace and stability to that area.

21. Lesotho had always practised a policy of full integration of refugees in its social fabric, which benefited both Lesotho, through enhanced economic assistance, and the refugees themselves. It had experienced some problems in the early 1980s regarding the refugees' continued safety, due to South Africa's perception of them as a security threat. The number of refugees had decreased substantially, however, after the peaceful transition to democratic rule in South Africa.

22. On independence, Lesotho had lacked an infrastructural, industrial or employment base and its resource base was virtually non-existent, despite the Government's efforts to restructure the economy. Approximately 60 per cent of Lesotho's gross national product was from income remitted by migrant workers employed in South African mines, and nearly all of the remainder from the Southern African Customs Union receipts. Despite those and other well-known factors, Lesotho remained committed to the alleviation of the plight of refugees in southern Africa. Although Lesotho was experiencing a lull in asylum-seeking, it believed in staying prepared, alert and up to date, for which it needed to be given the necessary means. It intended to bring its Refugee Act and other related legislation into line with international legal instruments.

23. Mr. SEMBEREKA (Malawi) said that Malawi, a very small country, had managed almost 1.1 million Mozambican refugees with the able assistance of UNHCR and the donor community. For the entire period of their stay in Malawi, the Mozambican refugees had been afforded all forms of protection and had enjoyed the same rights and freedoms as their Malawian counterparts. The Mozambican refugee programme in Malawi had also provided an example of the effectiveness of durable solutions. After the signing of the Peace Accords on 4 October 1992, voluntary repatriation had been organized and almost all Mozambicans had returned home in two and a half years instead of the three years originally planned. That success had been due to the harmonious partnership between the Malawi Government and the UNHCR branch office on the one hand and the Mozambican Government on the other, which had cooperated through the Tripartite Commission established to that end. Their efforts had been complemented by a group of hard-working non-governmental organizations and, most importantly, the involvement of the refugees themselves in making their decision to return home.

24. Another durable solution was integration. At the Committee's forty-sixth session, his delegation had reported the existence of a group of some 9,000 Mozambican refugees who had become self-sufficient and opted to remain in Malawi. His Government was in the process of determining the status of those groups who had remained behind after the end of the programme.

25. Effective durable solutions required the full cooperation and participation in decision-making of the intended recipients, the refugees themselves. Malawi was now receiving considerable influxes of refugees from the Great Lakes region and their statements revealed that their movements were being forced on them. Those movements were simply a shifting of the burden from one country to another and he called on the Executive Committee to find rapid solutions to curb the transfer of that burden to Malawi, which was still grappling with the environmental deterioration caused by its 10-year hosting of 1.1 million Mozambicans.

26. Undoubtedly, the most effective durable solution was conflict prevention. It was incumbent upon any State or Government to prevent a civil war or other serious consequences that might force refugees across its borders. While that matter might not fall within its mandate, UNHCR could play a catalytic role as omnipresent strategic observer at the grass-roots level in areas of conflict.

27. Malawi applauded the initiation of a dialogue between UNHCR and the Southern African Development Community (SADC) on population movements, most of which were illegal migration from other parts of the continent. It hoped that solutions would be found to curb such movements and would appreciate action by the Executive Committee to discuss and issue policy directions in that connection.

28. As Malawi had stated at the previous session despite the refugees' successful return to Mozambique, Malawi still needed action on activities pertaining to environmental damage caused by a large number of refugees. He would like again to request the Executive Committee's assistance in soliciting donor support for Malawi's rehabilitation programme. He thanked the ACP-EU Joint Assembly for registering that concern in its resolution on the situation of refugees in ACP countries, adopted by the Assembly on 20 March 1996. In that context, he conveyed his Government's appreciation to UNHCR for agreeing with BMZ Germany that unspent funds of over $600,000 from the refugee programme in Malawi should still be used in Malawi on rehabilitation of roads and forests in refugee-impacted areas.

29. Mr. BRUUN (Denmark) said that his delegation fully associated itself with the statement made on the previous day by the delegate for Ireland on behalf of the European Union.

30. Most other speakers had dealt with the challenges of repatriation, which repatriation was indeed the preferred durable solution to refugee problems and the way to sustainable development. However, local integration was another possible solution, and positive experiences in a number of countries, including Denmark, lent support for the call made in document A/AC.96/872, paragraphs 12 and 13, for the international community to reassess its potential. Denmark supported the continued use of resettlement as a last resort and a durable solution in situations where refugees were unable to repatriate, where local integration was not feasible and protection unavailable in the asylum country. Nevertheless, the possibility of increasing the very limited number of countries providing that option needed to be explored. Currently, only 10 countries had established quotas for resettlement, one being Denmark which offered 500 resettlement places annually. For that reason, he concurred with the assertion in paragraph 15 of document A/AC.96/872 about the need to increase the number of countries offering resettlement opportunities. Denmark also strongly supported the statement in paragraph 16 of the same document regarding UNHCR's commitment to exploring regional resettlement solutions to refugee problems which would be less expensive, less disruptive for the refugee family, and more promising in terms of eventual voluntary repatriation. That solution might well be feasible, especially if combined with assistance from the international community.

31. One of the options under active discussion in Denmark was the possibility to convert, in accordance with the High Commissioner's protection mandate, a limited number of the very expensive resettlement places offered outside the region into less expensive, but consequently more numerous, resettlement places within the region. In line with that regional approach, his country would further encourage UNHCR and Governments to look into the possibilities

of establishing burden-sharing arrangements at the regional level to provide the most efficient international protection and make sure that countries were not overburdened, especially in situations of mass influx.

32. While moral, political and diplomatic support for durable solutions was important, financial support for UNHCR was indispensable. The High Commissioner had appealed for a special effort to meet UNHCR's financial needs in operations in the former Yugoslavia, West Africa and in the Great Lakes region. In all those operations UNHCR was vigorously pursuing durable solutions and it would be appropriate if some of the moral and political support for such solutions was matched by financial contributions. It was particularly gratifying to announce that, subject to parliamentary approval, Denmark would make an extra contribution to UNHCR of US$ 16 million, thus bringing its combined contribution in 1996 to the record level of US$ 55 million. The bulk of Denmark's contributions would be to some of the operations highlighted by the High Commissioner, and earmarking would be as broad as possible so as to allow UNHCR maximum operational flexibility. The contribution he had just announced included an allocation covering 25 per cent of the Initiative Fund for Refugee Women. He was confident that in addressing the needs of refugee women UNHCR would go beyond the establishment of what was a relatively small fund. The international community had not only a humanitarian obligation to refugee women: it should also see them as a resource without which solutions were unlikely to be durable. There was every reason to implement the guidelines on assistance to women refugees as well as the many recommendations of the Beijing Platform for Action, adopted at the Fourth World Conference on Women.

33. Ms. GHOSE (India) said that several new challenges had confronted UNHCR in the year since the Executive Committee's previous session. The problem of refugees and population displacement had become one of global magnitude and seriousness comparable to other transboundary problems such as environmental degradation, drug trafficking and terrorism. Although the enormity of the challenge it posed to the world was well recognized, solutions to many refugee problems seemed increasingly distant. The most urgent task facing the international community was to identify realistic, feasible and durable solutions in the light of the specific constraints faced by developing asylum countries.

34. There were three disturbing trends in the global problem of refugees. First of all, developing countries continued to bear the brunt of refugee flows; they hosted large refugee and migrant populations which overwhelmed them and diverted their scarce resources and energies from their prime responsibility of meeting their own development needs. In addition, social, economic and ethnic tensions unleashed by the presence of refugees in areas where life was a perpetual struggle had led to widespread demands for borders to be closed, yet the impossibility of ignoring the desperate needs of innocent civilians fleeing conflict produced a cruel dilemma. Secondly, a high degree of aid fatigue was apparent, as well as an increase in restrictive practices that circumscribed the right to asylum. Such restrictive practices might be attributable to the growing intolerance and racism engendered by economic problems. Unfortunately, hapless refugees from different cultures were the first victims. The problem had to be handled in accordance with the norms of international protection. Thirdly, the lines between political

refugees and economic migrants were becoming more and more blurred. Contemporary refugee movements were taking place against a backdrop of larger and more complex migratory flows, and the arrival of genuine refugees often led to the development of a "pull factor" bringing in large numbers of fresh economic migrants. Still others understandably moved in search of a livelihood, while former political refugees settled in countries of asylum, laid down roots and became reluctant to return to their countries of origin, even after the elimination of the factors that had led to their departure.

35. Accordingly, the question was how to pursue and implement durable solutions and whether it was even possible to identify them. It had been remarked that durable solutions first and foremost required the will to recognize and deal with root causes. However, it could not be UNHCR's task alone to look into them, although it could play a significant role in identifying potential sources of refugee outflows. The international community must show a clear commitment to facilitating the creation of conditions in countries of origin to permit refugees to return safely and with dignity, securely to anchor them there and to discourage further outflows. As in the case of the returnees to Mozambique, return and reintegration programmes could aim at a seamless transition by dovetailing developmental approaches into the relief stage itself and providing for a relief-development continuum.

36. Voluntary repatriation was the best course, yet she agreed with UNHCR that local integration and resettlement should remain in the catalogue of durable solutions. Nevertheless, the scope for local integration was circumscribed by the burden already imposed by the massive presence of refugees and the impact of declining international aid. In an age of multi-culturalism and pluralism, ethnic and cultural ties need not influence decisions on local integration and regional resettlement. A mere 30,000 refugees had been accepted for resettlement by the developed countries during 1995, in contrast to the millions who had been offered refuge by developing countries. Resettlement should not be seen solely through the narrow prism of compliance by first asylum countries with international norms. It should also be seen from the perspective of international burden-sharing.

37. The issue of economic migration, with its effects on public attitudes towards genuine political refugees, could not be ignored, and highlighted the need for long-term sustainable development in the countries of origin. Emergency relief invariably evoked a response from donors, often at the cost of long-term development assistance, thereby perpetuating a vicious circle by creating conditions for potential conflict over scarce resources. Humanitarian action could become a spur for long-term development if durable solutions were to be found. She endorsed the proposal to include the socio-economic impact of refugee situations on developing countries as a specific agenda item in the Standing Committee's programme of work for the coming year.

38. Her delegation understood the concepts of "comprehensive approaches" and "prevention" to mean the commitment of the international community at large, involving a whole range of actors, including countries of origin and asylum, regional arrangements such as the Organization of African Unity and the spectrum of United Nations agencies and NGOs working in the relevant areas.

She applauded the success of UNHCR in developing arrangements such as the Comprehensive Plan of Action (CPA), and the CIS Conference, but conflict resolution per se was outside its mandate, as UNHCR itself recognized. None the less, her delegation was following with interest the new initiative launched by the High Commissioner in the Central Asian, South West Asia and Middle East regions.

39. Prevention remained primarily the responsibility of States themselves, but UNHCR had an important "lighthouse" function to play in alerting the international community to imminent refugee flows. Many complaints had been voiced about the so-called "CNN effect" - the sudden attention focused on a situation followed by equally sudden withdrawal of international interest. The power of the media should be used to bolster UNHCR's early warnings. Moreover, UNHCR's activities in countries of origin, through community development projects and monitoring the welfare of returnees, as well as its specific involvement in Integrated Development Projects, could also discourage outflows.

40. Developing countries should be actively involved in devising methodological frameworks and strategies for durable solutions. The possibility of sharing South-South experience in relief activities should be scrutinized and it should be recognized that the expertise of developing countries could be more relevant to the conditions obtaining in the majority of sending and receiving countries. UNHCR's policies, management style and the composition of its staff should reflect not only the global nature of refugee concerns but also the universal support the Office enjoyed.

41. India's experience of coping with major refugee situations dated back to the partition of the sub-continent in 1947, when over 8 million refugees from the areas which had become Pakistan and Bangladesh had moved into India, where they were now successfully integrated. In the late 1950s there had been a major inflow of Tibetan refugees who continued to live in India, where the Government offered them facilities to maintain their cultural characteristics and identity. In the early 1970s India had provided refuge to some 10 million refugees before Bangladesh had been born - perhaps the largest single movement of refugees ever. Recent decades had been marked by inflows of Tamils, Iranians, Chakmas and Afghans.

42. India's experience in handling refugee situations was the foundation for its refugee policy, based on political solutions achieved where feasible through bilateral negotiations with the countries of origin. Most refugees in India received national treatment and were permitted to integrate into the mainstream if they so wished, a fact that was often ignored. The only restraints India imposed on refugees were respect for its laws and a prohibition on engaging in political activities.

43. Her delegation was concerned about recent reports that refugees from a UNHCR camp in a neighbouring country were leaving the camp and moving to India. She urged the Office to take action to rectify the situation and make sure that the refugees received the protection to which they were entitled. Most population flows into India were "mixed" in character and included hundreds of thousands of illegal immigrants whose arrival had become an issue of major concern. UNHCR's experience in the recently concluded CPA in

South-East Asia and elsewhere was being seriously studied by India, whose society was also developing ideas and comprehensive approaches to refugee and migrant issues which, might provide a valuable input in the pursuit of durable solutions. UNHCR's plan for promotional activities in India consisted of a viable means of raising public awareness of refugee's concerns. UNHCR, whose inherent qualities made it the natural leader in the refugee field, should act as the catalyst in the search for innovative solutions to the infinitely complex problems of refugees.

44. Mr. GIORGIS (Observer for Eritrea) said that an estimated 700,000 Eritreans, 500,000 of whom lived in the Sudan, had been forced to flee their country during the 30-year war of liberation. The reasons for their flight had been eliminated with the end of hostilities in 1991.

45. Since the declaration of a sovereign State in Eritrea, the Government had been striving to find a permanent solution to the refugee problem, as part of its domestic and external policy of promoting peace and stability. It had taken as its prime task the creation of conditions for a durable solution to refugee problems as an important factor in fostering regional security and stability and the economic progress of the countries affected by the problem. Its commitment was evidenced by its efforts to foster regional cooperation and prevent, manage and resolve conflicts in the subregion.

46. The smooth reintegration of Eritreans in the Diaspora had been a priority concern for the Government of Eritrea, for which the safety and restoration of the shattered livelihoods of its citizens was both a political principle and a moral obligation. The Government appreciated the diversity of problems Eritrean refugees had had to face in exile and recognized that repatriation should be based on free choice. Accordingly, it had made it legally permissible for any Eritrean refugee to acquire dual citizenship and had taken the exceptional step of extending to Eritrean refugees in the Diaspora the right to vote in the referendum which had decided the destiny of their home country. It also allowed them to visit their country freely and offered special tax exemptions and other benefits when they returned. In addition, it had prepared a programme of assistance for their voluntary repatriation and reintegration and was committed to observing the universal and fundamental human rights instruments.

47. While it was attentive to the needs of Eritrean refugees everywhere, the Government accorded top priority to the plight of Eritrean refugees in the Sudan, on account of the immense social, political and economic hardship they had so long endured. Although the fraternal hospitality of the Sudanese people would be remembered, it was no secret that the refugees had suffered maltreatment, restrictions and abuse by the authorities. Hence, the only alternative for the Eritrean refugees was organized voluntary repatriation. Although the Eritrean refugees in the Sudan had repeatedly asserted their readiness for voluntary repatriation, and the Government of Eritrea fully supported their desire, progress was still obstructed by the host country, and the majority of the Eritrean refugees were still stranded in Sudanese refugee settlements.

48. On 16 April 1994, the Government of Eritrea had signed a memorandum of understanding with UNHCR to prepare the way for the Office to protect, promote and facilitate of the repatriation and reintegration of the Eritrean refugees from the Sudan. A similar agreement had been concluded on 6 September 1994 between UNHCR and the Government of Sudan. However, while the pilot project had been under way in 1995, the Sudanese authorities had obstructed the process, in violation of the fundamental principles governing the basic human rights of refugees and in contravention of their obligation to cooperate with UNHCR. Subsequently, the Sudanese authorities had hampered the process and their conduct towards the Eritrean refugees had been characterized by deplorable atrocities, illegal detention, torture and other abuses. Thousands of refugees who had attempted to return spontaneously had been stopped by the Sudanese security forces, which had stolen their possessions and raped women. Their patience exhausted, over 140,000 Eritreans had spontaneously returned from the Sudan without security or legal protection. His delegation was also concerned about the denial of food rations and other basic services to the refugees remaining in the Sudan. His Government had brought the widespread human rights abuses to the attention of UNHCR, whose offices in Eritrea had been called upon to conduct interviews with the arriving returnees and to witness the evidence of their suffering.

49. The welfare of some 300,000 Eritrean refugees was endangered by the failure of the Sudanese authorities to comply with fundamental humanitarian principles and by their refusal to respect the agreement reached with UNHCR. The international community, and particularly UNHCR, had a legal and moral responsibility to protect collective universal humanitarian principles from violation by any of its member States. The Eritrean refugees in the Sudan were entitled to repatriate voluntarily and to resume normal life. The Government of Eritrea urged the Executive Committee to adopt tangible measures to prevent the Eritrean refugees from becoming the victims of the political and economic objectives of a host government and to permit the resumption of orderly repatriation. It also called on UNHCR and the international community and other concerned agencies to increase their assistance to the programme of voluntary repatriation and reintegration, which was both the durable solution to the sufferings of the Eritrean refugees in the Sudan and a major contribution to regional peace, stability and social and economic progress.

50. The allegation that the Government of Eritrea was selectively discriminating against different social groups and political factions among the refugees was entirely baseless. His Government believed that the solution to the problem of the Eritrean refugees would contribute to the search for durable solutions, although in its experience return of refugees to their country of origin had been hampered by problems created by their host country.

51. Mrs. BAUTISTA (Philippines) said that the right of persons to return to their countries and the responsibility of States to accept the return and reintegration of their nationals must be reiterated. In addition to UNHCR's important role in prevention through its extensive network of field offices, the international community could adopt preventive actions that were beyond UNHCR's mandate.

52. The Philippines would continue to fulfil its commitments and responsibilities under the 1951 Convention. It had also participated in the negotiation and implementation of the CPA, assuming more responsibilities than was to be expected. Since the conclusion of the CPA, her country had continued to provide shelter to the residual Vietnamese population, comprising 52 refugees and 1,910 non-refugees. It would continue to coordinate with concerned Governments, particularly the countries of resettlement and the country of origin, in identifying and implementing durable solutions for the residual Vietnamese in the country.

53. The viable solution was resettlement of recognized refugees, the repatriation of those classified as non-refugees and their reintegration in their country of origin. There was no existing national legal framework, nor did her Government have the means, for the continued stay in the country of the residual Vietnamese following the expiration of the CPA. Hence, local integration was not an option. With respect to the 350 Vietnamese brought to the country by the United States under the orderly departure programme, the countries concerned must reach an agreement for a durable solution. Those who had brought them to the Philippines must take responsibility for them.

54. Ms. LOPES MAIATO (Observer for Angola) said that 20 months had passed since the signing of the Lusaka Protocol, and the deadlines for implementing its provisions had not yet been fully observed. Implementation had been characterized by repeated failures to comply on the part of the national Union for the Total Independence of Angola UNITA, which was deliberately delaying the process. Her Government was fully committed to redoubling efforts so that the Lusaka Protocol could be applied in its entirety.

55. Repatriation of the Angolan refugees in neighbouring countries, who currently numbered 311,000, was one of her Government's priorities. Despite the delays in implementing the Lusaka Protocol, and although peace was not yet a reality in Angola, the refugee population in neighbouring countries had begun to return by their own means, as they were tired of living in exile for more than three decades. They were returning in large numbers; by August 1996 alone, some 12,000 had returned, and by year-end that figure was expected to be 15,000. In 1995, 13,100 refugees had returned, and the remaining refugees' anxiousness to come home could well be imagined. The organized repatriation programme had been due to start in August 1996, but because of the delays in implementing the peace process, it had been postponed until 1997. Free movement of people and goods was one of the conditions without which it would not be possible to start the programme.

56. Conditions had been created for the reception and resettlement of Angola refugees living in Zambia in the Moxico Province. A programme to de-mine the main roads in that province and in the refugees' areas of origin was being carried out. An anti-personnel mine awareness campaign for the local population was also under way, and the Government intended to sensitize the refugees in the camps in Zambia and Zaire.

57. The population of the Cabinda Province, which had sought refuge in neighbouring Congo and Zaire, had started its spontaneous return to its areas of origin, and hence there was a need to rehabilitate the basic infrastructure, such as schools, health posts and water systems. Tripartite

agreements had been signed between Angola, UNHCR and Zambia, Namibia and Zaire. A tripartite agreement with the Congo would be signed shortly. In view of the situation and her country's serious budgetary constraints, Angola appealed strongly to the international community to continue its assistance.

58. Mr. EPHRAIM (Observer for Rwanda) pleaded for immediate steps to be taken to break the prevailing stalemate in refugee repatriation, and also called for responsible countries to make concerted efforts to end the hostage-terrorist situation that had been a feature of the Rwandan refugee problem for the past two years. Two years ago, the 6.5 million persons currently in Rwanda had been either internally or externally displaced, but were finally all in their homes. His Government therefore saw no rationale for the continued exile of 1.3 to 1.5 million Rwandans in Zaire and the United Republic of Tanzania. There was also no rationale for continuing to grant asylum and refugee status to the exiles, because the conditions under which blanket territorial asylum had been provided in 1994 had long since ceased to exist. In any case, there had been enough reasons at that time to justify non-application of the OAU Convention, under which most of the persons concerned had been granted asylum, for large numbers of political leaders, militia and former military personnel had committed crimes against humanity and been guilty of serious non-political crimes and acts contrary to the purposes of the OAU and the United Nations before they had entered their present countries of asylum.

59. At that time, UNHCR and concerned countries should have guided the international community in preventing such persons from benefiting from refugee status. Failure to do so had bred the current problems of exported genocide and continued hostage-taking of an innocent population. The persons who had committed genocide were now posing as the victims of an unfair system in Rwanda.

60. At the Committee's 509th meeting, the representative of Zaire had fearlessly asserted, contrary to the truth, and also to universal surprise, that the exiled population in his country had escaped ethnic cleansing in Rwanda. Such a statement was not only cynical but immoral and irresponsible. Rwanda did not consider the continuous pumping of resources by the international community into refugee camps a justifiable act, especially when the camps were the sources not only of terror to Rwandans wishing to return and to international humanitarian workers in the camps, but also of insecurity for Rwandan nationals living close to the Rwandan borders, especially to the west, near eastern Zaire. Furthermore, those camps were the main centres for the ethnic cleansing currently taking place in the Kivu province of eastern Zaire, which had started in northern Kivu and was also occurring in southern Kivu, in the Marungu Province.

61. It had also been asserted at the previous meeting that private and public property had been taken to Zaire and was being held by the Government, despite appeals for it to be returned. The necessary judicial instruments were now in place, and trials for those accused of genocide would proceed shortly. Large numbers of those outside the country had committed genocide, and it was only fair that they should return to Rwanda and receive justice. A recent law on punishment for genocide made provision for pleas of pardon, but they would apply on an individual basis and only to those people who placed themselves within the reach of justice - in other words, they must return to Rwanda.

62. Rwanda had been asked to meet its obligations under the Bujumbura plan of action, and it had met them all. He therefore urgently requested the other parties to that plan to comply with what was demanded of them. The refugee situation would continue to be hopeless unless serious concrete steps were taken to dismantle and destroy the genocidal evil forces that controlled the camps and thwarted repatriation efforts. The camp leadership structures, as well as the camps themselves, should at all costs be dismantled without further delay.

63. Again, the "cessation clause" would comprehensively apply to all persons who had fled as a result of the events of 1994. Once that had been done, the countries of asylum should take the actions deemed necessary to handle those affected. Whether they were currently being screened for asylum status or whether they were expatriated, the Rwandan Government was prepared to receive them. The Great Lakes region, especially Rwanda, should not be made the experimental field of mercy, a test of conventions and humanitarianism, while a blind eye was turned to the continued acts of criminals in the camps, out of fear that innocent refugees would be hurt. After applying the cessation clause, an interim period of only six months should be allowed, during which relief supplies could be provided, but under very strong control. Thereafter, the camps should cease to exist, at least those close to the Rwandan borders. His Government strongly supported the call by the United States for specific steps to break the status quo in the refugee camps, but regretted that some agencies and countries were tactically trying to derail that move and prolong the hopelessness of the situation.

64. If the countries concerned opted to relocate the camps, and not to repatriate the exiled population, then a framework for relocation should be developed and a time-frame defined. Although his Government did not think it viable to move the refugees elsewhere, such a course would avoid repeating the past experience of stating aims without defining actions and actors. The role of the specific donor countries should be spelt out in developing the action plan or framework, which would clarify who would do what, how and when. The relocation should make sure that the exiled persons were no longer a source of conflict between the countries in the region.

65. As to the "pull strategy" that proposed locating supplies inside Rwanda, his Government would cooperate on the necessary logistical arrangements. That, however, made it necessary to examine the entire issue of relief supplies to the camps. Upon delivery, all such supplies were under the absolute control of the camp's political administration, which stockpiled and sold whatever it chose for the procurement of military materials and other needs. With food under their control, the leaders were able to elicit absolute obedience from their victims. That source of power - the control of food by criminals - should be immediately broken. Once food was withheld after notice had been given, the criminals might not be able to contain the population in the camps. That had worked elsewhere with the Rwandan refugees, and it could work in Zaire. Some pressure might be necessary before the criminals would give up; he was unaware of any cases in which terrorists had released their hostages without pressure.

66. Food withdrawal could be applied camp after camp, starting with the smaller camps. In the meantime, the large camps should be broken up into

units not exceeding 30,000 to 40,000 persons. The process could be preceded by a campaign involving a team of donor countries to send a strong message to the exiled population in preparation for repatriation. Rwanda stood ready to play its role, but considered camp closure to be a matter for the countries of asylum. It was pretentious and unrealistic ever to imagine that Rwandan exiles in Zairian camps would repatriate en masse when their present captors were still in control.

67. The ethnic cleansing in Kivu, which had resulted in over 20,000 Zairian refugees in Rwanda, was a matter of concern, especially as it did not seem to bother the Zairian authorities. A destructive hand-in-glove alliance had been formed between local Rwandan forces and genocidal, exiled Rwandan forces in carrying out the genocide. An attempt had been made by the representative of Zaire at the previous meeting to spread confusion and mislead international opinion by affirming that the ethnic cleansing was affecting the entire population, but his Government did not deem it useful to respond. The fact that the Zairians were utilizing the weakened forces committing genocide in Zaire for their short-term gains was a bitter and lamentable experience. It was a continuation of the genocide against the Tutsi population in the region, and unless the international community intervened, graver consequences would ensue. The genocide was being perpetrated by the same people who were being fed by the international community, and it was in the interest of the Zairian Government and their hosts to stop those unfortunate acts. The international community should act swiftly, before it was too late.

68. Mr. EVTUKH (Observer for Ukraine), drawing attention to the impact of what was a very serious problem in Ukraine's social, political and economic life, said that refugees were a new issue in Ukraine, which had faced its first refugee flows in 1988-1989, owing to the tragic developments in Azerbaijan, when several thousand Meshketian Turks from Uzbekistan had entered the country. Prior to 1992, the refugees had come mostly from the republics of the former Soviet Union. Now they came also from Bosnia and Herzegovina, Croatia, Afghanistan and Africa, representing a variety of ethnicities in addition to the 100 ethnic minorities already living in Ukraine. Ukraine was a receiving country; there was no reason, such as ethnic conflict, for an outflow of refugees. At the same time it was a transit country, because for many refugees the primary destination was western Europe.

69. There were two groups of displaced persons in Ukraine who could not be legally classified as refugees: the 60,000 forced to leave their places of permanent settlement in Chechnya, and the 35,000 forced to leave their places of permanent settlement in Abkhazia. For those groups, special resolutions had been adopted by the Government to regulate their problems. In recent years, 200,000 Crimean Tatars had also been returning from deportation; their repatriation process was under way.

70. Those were specific features of the movement of people to, through and within Ukraine, but there was no universal method for treating the problems of the displaced persons. His Government was trying to solve the economic, political and ethnocultural problems of the displaced by drawing on the experience of other countries and the positive activities of international organizations, particularly UNHCR and the International Office for

Migration (IOM). The legislative basis for regulating the refugee problem included several laws, such as the Refugee Act, adopted in 1994. In view of the fact that large groups of displaced persons had become a stable element of society, other laws had been passed aimed at their integration and at the rehabilitation of deportees, asylum-seekers and the like.

71. The agreement between Ukraine and UNHCR, signed in Kiev in September 1996, had given fresh impetus to bilateral and multilateral cooperation. The two conferences that had taken place in April and May 1996 had considerably helped solve the problem of displaced persons in Ukraine. The United States, Switzerland, Netherlands, Italy, Norway, Greece, Canada, Turkey and other Governments had already made, or were currently making, contributions to solving the problem of refugees and deportees, especially in Crimea.

72. Mrs. KRASNOHORSKÁ (Observer for the Slovak Republic) said the geopolitical location and economic conditions of the Slovak Republic called for specific approaches to the issue of migration. Contemporary migration in central European countries was changing in character. Rather than passing through those countries, migrants were tending to remain there. While such migration had a positive impact on the development of society, it also led to increased crime and a radicalization of socio-economic conditions and of attitudes. The assistance of international organizations, and particularly UNHCR, was of great importance.

73. An organic component of the Slovak Republic's migration policy was to provide protection to refugees in accordance with recognized international instruments, in particular the 1951 Convention and the 1967 Protocol. Fundamental principles of those instruments had been incorporated in the new law on refugees, which included provisions for positive identification of individuals in order to prevent potential criminal activities and repeated unjustified applications for asylum. The situation in that regard had stabilized, and approximately 300 people had applied for refugee status in 1996.

74. After setting up State facilities to deal with migration, the Slovak Republic was now able to devote greater attention to durable solutions. The new national programme was based on five principles: job opportunities, housing, education, social and health services and training in the Slovak language, and had been successful thanks to UNHCR, which had contributed approximately US$ 270,000 in 1996, primarily to provide housing for refugees. Cooperation between the Slovak authorities and NGOs in the integration of refugees in society was already excellent and was expected to expand.

75. From the onset of the war in the former Yugoslavia, the Slovak Republic had granted temporary protection to displaced persons, and the period of such protection had been extended until 31 December 1996. On 20 March 1996, the Slovak Republic had become the first country in Europe to organize the collective repatriation of a group of displaced Bosnians. In addition, it had cooperated with UNHCR and the International Organization for Migration (IOM) in arranging the repatriation of individuals. Consequently, only about 300 of the original 1,800 people under temporary protection remained in Slovakia.

76. Mr. PHIPHACPHOMMACHANH (Observer for the Lao People's Democratic Republic) said that voluntary repatriation was the most realistic and appropriate durable solution to the refugee problem. His Government appreciated the contributions of UNHCR, the United Nations system and donor countries to humanitarian activities such as assistance to the victims of armed conflicts and natural disasters and to development programmes. UNHCR's work was of particular importance in Liberia, Tanzania, Ethiopia, Somalia, Rwanda and Burundi, and also in Afghanistan and the former Yugoslavia, where the situation was political in nature. Also important was the programme for the orderly return of Vietnamese non-refugees within the framework of the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA).

77. His Government had affirmed since 1975 that Lao refugees who had left the country could return in dignity and safety any time they wished. To that end, it had concluded an agreement with UNHCR and the Government of Thailand on the voluntary repatriation from Thailand of Lao refugees. To date, over 23,000 people had returned. His Government had facilitated the departure of those selected for resettlement in another country and in no way hindered those wishing to settle in Thailand. Moreover, in September 1996, Thailand had hosted the eighth tripartite meeting with the Government of Thailand and UNHCR on the fate of the 6,000 Lao refugees in the Napho Repatriation Centre. During that meeting, it had been recommended that the Government of the United States of America, which had announced an end to its policy of accepting Lao refugees, should complete the immigration process as soon as possible.

78. Mr. VENERA (Observer for the Czech Republic) said that his Government was concerned to seek durable solutions in the form of the voluntary repatriation to and reintegration in the countries of origin or alternatively integration in the territory of the Czech Republic, with an emphasis on family reunion. In June 1996 the Czech Republic had taken the first concrete steps towards the voluntary repatriation of citizens of Bosnia and Herzegovina under its temporary protection, a total of 282 of whom had already returned home with allowances to help them settle in. Returnees who were unable to settle in their country of origin would be entitled to return to the Czech Republic in the first three months of their repatriation. The operation had been organized in close cooperation with UNHCR. The repatriation procedure was conducted in accordance with UNHCR recommendations and principles, under which voluntary and safe return of refugees and displaced persons was an integral element of the peace process in Bosnia and Herzegovina. Evidence of his country's appreciation of the importance of that process was to be seen in the direct development aid and financial contributions provided to the relevant organizations, including UNHCR, which played a pivotal role.

79. The repatriation would in all likelihood continue in 1997, and the Czech authorities were currently dealing with cases of Bosnian citizens under its protection who were unable or unwilling to return to their home country. The Government had decided to contribute a total of US$ 300,000 to the Trust Fund for Shelter Material in Bosnia and Herzegovina, half of which had been earmarked for use in the home regions of returnees and the remainder for direct supplies of commodities and services by Czech companies for the reconstruction of Sarajevo. An additional US$ 2 million had been spent by Czech NGOs on reconstruction programmes in Bosnia and Herzegovina.

80. His country was now focusing on programmes for full integration of persons with refugee status. The State programme for refugee integration, based on cooperation with NGOs and funded from the State budget, was into its third year of successful operation. Moreover, the latest amendment to Czech refugee law encouraged the naturalization of refugees and would certainly facilitate full integration in society. It was also desirable to broaden the international exchange of information on voluntary repatriation and integration programmes, especially in the European countries. His delegation greatly valued the role played by UNHCR in the CIS Conference on refugees, which was a positive and tangible result of unique cooperation and coordination between UNHCR, IOM and OSCE, and he urged those organizations to move further in that direction. His country respected UNHCR's work in regard to statelessness and he wished to stress the cooperation between UNHCR and the Czech authorities on the issue of citizenship.

81. Ms. ISMAILOVA (Observer for the Kyrgyz Republic) said that the recent UNHCR reforms were welcome and she hoped that they would lead to more effective fulfilment of the Office's mandate. Kyrgyzstan had ratified that instrument, the 1951 Convention and 1967 Protocol in order to affirm its commitment to international law, human rights and democratic values and because it planned to use them as a basis for standard-setting and legislation aimed at strengthening the State system for dealing with problems related to migration to the Kyrgyz Republic. There were currently over 50,000 refugees in Kyrgyzstan, originating primarily in Tajikistan, Chechnya, Georgia, Azerbaijan and Afghanistan. UNHCR had carried out a clean water project, had provided coal to refugees and planned to open a school and provide support to a project aimed at offering additional jobs to refugees.

82. Kyrgyzstan faced problems related to the impact of refugees on its ecosystem and needed to reorganize its temporary reception centres. Since the country was still economically weak, it was difficult to provide all the necessary assistance to refugees. Furthermore, Kyrgyzstan had, as yet, no immigration law. However, even without that legislative basis, it was providing social assistance to refugees, who were entitled to pensions, special allowances for large families, land grants for farmers and assistance with home construction. Kyrgyzstan had worked with UNHCR to strengthen its legal basis for migration and the acceptance of refugees. UNHCR and international organizations and donors were also assisting the country in drawing up its 1997 budget.

83. With regard to long-term solutions, it was essential to develop preventive strategies and provide receiving countries with timely assistance in the social integration of refugees and subsequent measures for return to their countries of origin. She wished to thank UNHCR for its work in central Asia, particularly Kyrgyzstan, and hoped that it would in the future provide assistance with the problem of unemployed refugees in host countries.

84. Mr. MADEY (Observer for Croatia) said that his Government was committed to the return of all persons to their places of origin and was investing great efforts and resources to rebuild areas of the country from which the displaced persons had been expelled. However, assistance and foreign investment were greatly needed. The main coordination of all major return activities should

remain, as stipulated in the Dayton Agreements, with UNHCR. None of the 80,000 non-Serbs expelled in 1991 from the Croatian Danubian Area, currently under the governance of the United Nations Transitional Authority in Eastern Slavonia (UNTAES), had returned, primarily because of resistance and obstruction by the local Serbian population. Unfortunately, even one-day visits to local cemeteries had been stopped. Such practices understandably increased the anger of refugees. Croatia regretted the reluctance of UNHCR and UNTAES to proceed at a quicker pace.

85. Plainly, a massive return would not be possible before the full establishment of Croatian authority in the area. An undue extension of the UNTAES mandate could be counter-productive, slowing down the peace process and the return of refugees and thereby directly causing increased tensions between the displaced and the local inhabitants. A group of extremists who did not represent the prevailing views of residents of the area should not be allowed to dictate political events. In that context the organization of local elections had important implications. The Parliament of Croatia had set a deadline of 15 January 1997 for the termination of the UNTAES mandate and, consequently, holding the local elections a month before that. Preparations for voting had already begun and his Government believed that the elections in Eastern Slavonia could be even more successfully organized and held by 15 December. UNHCR should firmly pursue its own plans to start the return to the Croatian Danubian Area, as that peaceful reintegration was soon likely to become one of the few entirely successful United Nations missions.

86. Croatia still hosted some 180,000 refugees from Bosnia and Herzegovina, in addition to 140,000 of its own displaced persons, which represented an enormous burden. More efforts should be invested in the present phase to the return of refugees to the so-called "majority areas", where there were still many problems.

87. Implementation of Annex 7 of the Dayton Agreements was slow and frustrating. Croatia therefore welcomed UNHCR's initiative to proceed with a regional plan for durable solutions. As such a plan was expected to expand Annex 7 in scope and time, the same responsibilities for all of the actors concerned must be specified. The establishment of an expert group to develop the plan would also be welcome. It would also be useful for UNHCR to use the knowledge of persons in Croatia who had worked most directly with refugees, sometimes in the harshest of conditions.

88. Mr. RODRIGUES (Observer for Mozambique) said his country was grateful for the international community's prompt response to an appeal for support during the last stage of the UNHCR programme in Mozambique, a response that had made possible the implementation of quick impact projects (QIP) for the settlement of returnees. The refugee repatriation and resettlement programme in Mozambique had officially ended in July 1996, at which time that had been clearly understood by the Government, donors, United Nations agencies, NGOs and other actors that significant efforts were still required as Mozambique fully entered the development phase. On the social and economic front, many challenges remained, including the reintegration in civil life of demobilized soldiers and the land-mine problem. His Government was determined to face those challenges with the help of the international community.

89. By combining the repatriation and resettlement processes, UNHCR had laid the foundations for smoother reintegration of refugees and created the conditions for building a bridge between humanitarian assistance and sustainable human development. Many factors had contributed to the results of that operation, which had enabled approximately 1.7 million Mozambicans to return safely and voluntarily to their places of origin or choice. Among those factors were the successful implementation of the General Peace Agreement, signed in October 1992; the establishment of a Government resettlement strategy and the early involvement of all parties concerned; the immediate and generous response of the international community; the coordination between the Government, UNHCR, other United Nations agencies and civil society throughout the process; and the excellent facilities extended to Mozambican refugees by the Governments of Malawi, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

90. One of the lessons learned from that process had been the vital role of coordination at every stage of the process among all the actors involved. In that regard, he welcomed the UNHCR regional approach, which should contribute to the pursuit and implementation of durable solutions to the refugee problem. Particularly welcome was the Memorandum of Understanding recently signed by UNHCR and the Southern African Development Committee (SADC), the goal of which was to establish a framework for cooperation in dealing with refugees, forced population and migratory movements and the search for ways of addressing the root causes of those movements in southern Africa. Mozambique supported UNHCR's efforts to assist women and children, who were particularly affected by armed conflict and hoped that the report being prepared under the guidance of Ms. Graça Machel would draw international attention to the fate of child victims of such conflicts. Despite the shaky economic situation, his Government was prepared to continue to give shelter to those who had already crossed its borders in search of protection and to contribute to the search for solutions to the conflicts that continued to cause a massive exodus of populations.

91. Mr. ZACKHEOS (Cyprus) said that the Vienna Declaration of the World Conference on Human Rights had emphasized the importance of giving special attention to finding lasting solutions to refugee problems. While global refugee numbers had decreased in 1996, a number of the world's major refugee situations remained intractable. The situation in the Great Lakes region of Africa called for urgent action and he endorsed the High Commissioner's proposal for a regional meeting of the parties concerned to seek a lasting solution. The situation of Afghan, Somali and Liberian refugees was also difficult, but the success of the CIREFCA and CAP process and the completion of repatriation in Mozambique showed that the picture was not completely negative. As to Bosnia, the provisions of the Dayton Agreements for the return of refugees and displaced persons were of vital importance and cooperation with UNHCR was needed in the repatriation process.

92. In addition to internal armed conflicts, one main cause of displacement was the aggression of one State against another, as was the case in Cyprus. Efforts should therefore aim at preventive action to avoid displacement and its attendant traumas. Another reason for displacement was fear caused by repressive or undemocratic regimes. Good government and respect for the rule of law should therefore be the purpose of domestic policies. Effectively

resolving global economic inequalities would also go a long way towards preventing immigration associated with lack of economic opportunity at home. Also, the world must learn to predict and improve its management of natural calamities.

93. The magnitude of the refugee problem called for concerted local, regional and international efforts and for early warning and strong preventive measures. States had an obligation to respect the Charter of the United Nations and refrain from the threat or use of force against other States and to comply with Security Council and General Assembly resolutions. The international community must not condone armed conflict and foreign aggression. People indicted by international criminal tribunals should be excluded from refugee status, for which reason his delegation supported the High Commissioner's recent initiative concerning the 20 Rwandans accused of war crimes.

94. Humanitarian aid should be urgently provided, and Governments and armed groups should refrain from placing obstacles in the way of international humanitarian operations. Displaced persons should be trained in new skills pending their return to their homes, and special programmes should aim at alleviating the pain and suffering of vulnerable groups. International humanitarian organizations must also improve their effectiveness, coordination and ability to respond to emergencies.

95. In Cyprus, the question of displaced persons, numbering one third of the population, as a result of the Turkish invasion and the continuing occupation, was a matter of the utmost concern. The case of Cyprus vividly demonstrated that population displacement resulted in gross violations of human rights, including forcible eviction from homes and land, ill-treatment and violation of freedom of movement and resettlement, the right to shelter and the right to adequate living conditions. Particularly cruel was the denial of the right to family reunification. Cyprus had raised the issue of violations of human rights of the persons displaced in Cyprus in various forums and a number of decisions and resolutions had been adopted. In raising the matter it was seriously interested in a peaceful, viable and functional settlement of the Cyprus problem based on United Nations resolutions. In that connection, his delegation greatly appreciated UNHCR's continuing coordination role in the programme of humanitarian assistance to displaced persons in Cyprus, and was also grateful to the United States, which was financing the programme through an annual grant of US$ 10 million.

96. Mr. THINLEY (Observer for Bhutan) said that the Nepalese Minister for Foreign Affairs had drawn attention to the large number of Nepalese currently in refugee camps in Nepal, all claiming to be refugees from Bhutan. Although the Foreign Minister had referred to those people as Bhutanese refugees, their origin and status was a matter under discussion between Bhutan and Nepal and the problem was far more complex than had been stated. The two countries had geographical similarities, but there were major economic, demographic and environmental differences between them. The mountain environment of Nepal was unable to support its rapidly growing population of 22,000,000 people, and some 400,000 Nepalese per year left to seek a better livelihood across the open border with India. Twelve million ethnic Nepalese already lived in India, most of them immediately across Bhutan's porous southern border.

Bhutan, on the other hand, was far smaller than Nepal, and with a population of only 600,000 people and by far the largest ratio of land to people in southern Asia. For Bhutan, which had always been an island of peace and economic opportunity, the increasingly desperate waves of illegal Nepalese immigrants posed a threat to the survival of its people in the fragile Himalayan ecosystem.

97. Bhutan already had an ethnic Nepalese minority, who had been granted Bhutanese citizenship in 1958 and played an active role in the country while maintaining their own culture and traditions. Bhutan was not against the Nepalese, but only against the relentless tide of illegal Nepalese immigrants. The problem had begun in August 1991, when the Nepalese Government had sought external assistance in dealing with 234 people who had arrived in Nepal claiming to be Bhutanese refugees. By December of that year, the number of refugees had risen to 6,000. The King of Bhutan had asked the Prime Minister of Nepal not to encourage people to come for what amounted to free handouts. However, the Prime Minister had felt unable to comply with that request for fear of criticism from Nepalese political parties. Many illegal immigrants, Nepalese who had been working in Bhutan as contractual labourers, and poor Nepalese from neighbouring areas had begun to congregate in refugee camps to obtain the free food, shelter, health, education and other facilities provided by international agencies. Almost all of those now in Nepalese refugee camps had arrived before the introduction of standard screening procedures at the Nepalese border in June 1993. Previously, it had been necessary only to claim Bhutanese refugee status to obtain entry to those camps and, in that regard, it was interesting to note that, during the latest round of bilateral negotiations, Nepal had taken the position that verification of the nationalities of the people in the refugee camps should be based on their own statements.

98. The first bilateral talks between Bhutan and Nepal had been held in July 1993. It had been decided to establish a Ministerial Joint Committee responsible for determining the categories of people claiming to have come from Bhutan, establishing the positions of the two Governments on each of those categories and arriving at a mutually acceptable agreement as a basis for resolving the problem. To date, the Committee had held seven meetings and, contrary to the general impression, had made considerable progress, as the Foreign Minister of Nepal had noted the previous day. Both sides had agreed that there were four categories of people in the refugee camps: bona-fide Bhutanese if they had been forcibly evicted from the country; Bhutanese who had emigrated from Bhutan; Bhutanese who had committed criminal acts; and non-Bhutanese. A joint team had been set up to verify the classification of people in the four agreed categories, and much progress had been made in harmonizing the positions of the two Governments. A text of those positions had been finalized, and the names of future members of the joint verification team had been exchanged. However, it had been impossible to reach final agreement because of last-minute political considerations affecting the Nepalese members of the Committee.

99. The Foreign Minister of Nepal had said that his country wanted the refugees to be allowed to return in safety and dignity. However, the whole purpose of the bilateral talks was to determine who, if anyone, was a genuine refugee from Bhutan. His Government's position on that issue had always been

very clear. Even before the establishment of the Ministerial Joint Committee, the Royal Government of Bhutan had accepted full responsibility for any Bhutanese who might have been forcibly evicted, and a royal edict had been issued as a reminder that it was a punishable offence to forcibly evict a Bhutanese citizen. As a result of several concessions made by his Government, the bilateral negotiations had brought the two countries close to beginning joint verification in the field and, had it not been for the political instability in Nepal and consequent changes in the country's Government, the Committee's members and the political considerations of each successive Government, those efforts would already have yielded a solution.

100. The two Governments could not seek a solution through both bilateral negotiation and international intervention. Bhutan felt that, in view of the goodwill and friendship that had always existed between the two countries, every effort should be made to resolve the problem through dialogue. His Government was ready to continue to work with Nepal to find a rapid, just and durable solution and had already extended an invitation to Nepal for the next round of talks.

The meeting rose at 6.40 p.m.